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HOUSE JOURNAL 1985
Volume I

HOUSE JOURNAL
OF THE
Forty-Ninth Legislature
OF THE
STATE OF MONTANA
VOLUME I

**Held in Helena, the Seat of Government
Commencing in Regular Session January 7, 1985
and Ending April 25, 1985**

JOHN VINCENT
Speaker of the House

ED SMITH
Chief Clerk of the House

Rosana Winterburn
Journal Clerk



PUBLISHED BY

Montana Legislative Council

HOUSE JOURNAL
OF THE
Forty-Ninth Legislature
OF THE
State of Montana

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Published by

Montana Legislative Council

Room 138 State Capitol
Helena, Montana 59620

Patricia Sternberg
Data Entry Clerk

Diana S. Dowling
Executive Director

OFFICERS AND MEMBERS OF THE MONTANA HOUSE OF REPRESENTATIVES 1985

100 Members

50 Republicans
50 Democrats

83 Men
17 Women

OFFICERS

Speaker	John Vincent
House Republican Leader	Bob Marks
Democratic Floor Leader	Hal Harper
Democratic Whip	Joe Quillici
Republican Floor Leader	Jack Ramirez
Republican Whip	Kerry Keyser
Chief Clerk	Ed Smith

MEMBERS

NAME	RESIDENCE OR MAILING ADDRESS	DIST. NO.	COUNTY OF RESIDENCE	PARTY
Abrams, Hubert J.	Wibaux 59353	24	Wibaux	Democrat
Addy, Kelly	237 Ave. C, Billings 59101	94	Yellowstone	Democrat
Asay, Tom	RR 2, Box 3062, Forsyth 59327	27	Rosebud	Republican
Bachini, Bob	409 19th St., Havre 59501	14	Hill	Democrat
Bardanoue, Francis	Box 367, Harlem 59526	16	Blaine	Democrat
Bergene, Toni R.	511 29th Ave. NE, Great Falls 59404	41	Cascade	Republican
Bradley, Dorothy	919 W. Lamme, Bozeman 59715	79	Gallatin	Democrat
Brandewie, Ray	East Lake Shore, Bigfork 59911	49	Flathead	Republican
Brown, Dave	3040 Ottawa, Butte 59701	72	Silver Bow	Democrat
Brown, Jan	906 Madison, Helena 59601	46	Lewis & Clark	Democrat
Campbell, Bud	471 Lake Hill Rd., Deer Lodge 59722	48	Powell	Republican
Cobb, John	Box 348, Augusta 59410	42	Lewis & Clark	Republican
Cody, Dorothy A.	Box 973, Wolf Point 59201	20	Roosevelt	Democrat
Cohen, Benjamin R. "Ben"	Box 1657, Whitefish 59937	3	Flathead	Democrat
Compton, Duane W.	134 So. 8th E., Malta 59538	17	Phillips	Republican
Connelly, Mary Ellen	3315 Whitefish Stage, Kalispell 59901	8	Flathead	Democrat
Darko, Paula	Box 490, Libby 59923	2	Lincoln	Democrat
Devlin, Gerry	Box 186, Terry 59349	25	Prairie	Republican
Donaldson, Gene	3890 Helberg Dr., Helena 59601	43	Lewis & Clark	Republican
Driscoll, Jerry L.	4344 Stone St., Billings 59101	92	Yellowstone	Democrat
Ellerd, Robert A.	2206 Bridger Dr., Bozeman 59715	77	Gallatin	Republican
Ellison, Orval S.	W. Boulder Rt., McLeod 59052	81	Park	Republican
Ernst, Gene N.	Box 39, Stanford 59479	29	Judith Basin	Republican
Eudaily, Ralph S.	234 Kensington Ave., Missoula 59801	60	Missoula	Republican
Fritz, Harry	675 E. Central Ave., Missoula 59801	56	Missoula	Democrat
Gracia, Rodney L.	214 So., 38th St., Billings 59101	93	Yellowstone	Democrat
Gilbert, Bob	Drawer 2117, Sidney 59270	22	Richland	Republican
Glaser, William	Box 1801, Billings 59103	98	Yellowstone	Republican
Gould, R. Budd	2205 So., 5th St. W., Missoula 59801	61	Missoula	Republican
Grady, Edward J.	Canyon Creek 59633	47	Lewis & Clark	Republican
Hammond, Joe	Box 12, Alberton 59820	52	Mineral	Democrat
Hand, Bill	30 So. Arizona, Dillon 59725	73	Beaverhead	Democrat
Hannah, Tom	2228 Beloit, Billings 59102	86	Yellowstone	Republican
Hansen, Stella Jean	841 Woodford, Missoula 59801	57	Missoula	Democrat
Hanson, Marian W.	Box 237, Ashland 59003	100	Powder River	Republican
Harbin, Raymond K.	Rt. 1, Box 115, St. Ignatius 59865	53	Lake	Democrat
Harp, John G.	134 Park Ave., Kalispell 59901	7	Flathead	Republican
Harper, Hal	9 Comstock Rd., Helena 59601	44	Lewis & Clark	Democrat
Harrington, Dan W.	1201 N. Excelsior, Butte 59701	68	Silver Bow	Democrat
Hart, Marjorie	Box 25, Glendive 59330	23	Dawson	Democrat

HOUSE OF REPRESENTATIVES (Continued)

NAME	RESIDENCE OR MAILING ADDRESS	DIST. NO.	COUNTY OF RESIDENCE	PARTY
Hayne, Harriet	Box 285, Dupuyer 59432	10	Pondera	Republican
Holliday, Gay	Box 316, Roundup 59072	31	Musselshell	Democrat
Howe, Ramona	Box 352, Lodge Grass 59050	99	Big Horn	Democrat
Iverson, Dennis	Whitlash 59545	12	Liberty	Republican
Jenkins, Loren	RR 1, Box 689, Big Sandy 59520	13	Chouteau	Republican
Jones, Tom L.	171 Three Mile Dr., Kalispell 59901	4	Flathead	Republican
Kadas, Mike	825 Cooley, Missoula 59802	55	Missoula	Democrat
Keenan, Nancy A.	1421 W. 3rd St., Anaconda 59711	66	Deer Lodge	Democrat
Keller, Vernon V.	Box 134, Fishtail 59028	83	Stillwater	Republican
Kennerly, Roland F.	Box 437, Babb 59411	9	Glacier	Democrat
Keyser, Kerry R.	Box 126, Ennis 59729	74	Madison	Republican
Kitselman, Les	1148 Patriot St., Billings 59105	95	Yellowstone	Republican
Koehnke, Francis	Box 692, Townsend 59644	32	Broadwater	Democrat
Krueger, Kurt	Box 485, Butte 59703	69	Silver Bow	Democrat
Lory, Earl C.	4795 Miller Creek Rd., Missoula 59803	59	Missoula	Republican
McCormick, Lloyd J. "Mac"	326 14th Ave. S. #2, Great Falls 59405	38	Cascade	Democrat
Manuel, Rex	RR 1, Box 42, Fairfield 59436	11	Teton	Democrat
Marks, Robert L. (Bob)	302 Lump Gulch, Clancy 59634	75	Jefferson	Republican
Menahan, William (Red)	1304 W. 5th St., Anaconda 59711	67	Deer Lodge	Democrat
Mercer, John A.	312 1st St. E., Polson 59860	50	Lake	Republican
Miles, Joan	Box 105, Helena 59624	45	Lewis & Clark	Democrat
Miller, Ron	513 52nd St. S., Great Falls 59405	34	Cascade	Republican
Montayne, John D.	1303 Galway Drive, Billings 59105	96	Yellowstone	Democrat
Moore, Jack K.	1200 32nd St. S. #85, Great Falls 59405	37	Cascade	Republican
Moore, Janet	Box 1017, Condon 59826	65	Missoula	Democrat
Nathe, Dennis G.	Box 4, Redstone 59257	19	Sheridan	Republican
Nelson, Richard M.	94 Northern Lights Blvd., Kalispell 59901	6	Flathead	Republican
Nisbet, Gerald D. (Jerry)	420 25th Ave. NE, Great Falls 59404	35	Cascade	Democrat
O'Connell, Helen G.	703 4th Ave. SW, Great Falls 59404	40	Cascade	Democrat
O'Hara, Jesse A.	1712 10th St. SW #9, Great Falls 59404	39	Cascade	Republican
Patterson, John W.	Box 150, Custer 59024	97	Yellowstone	Republican
Pavlovich, Robert J. "Bob"	1375 Harrison Ave., Butte 59701	70	Silver Bow	Democrat
Peck, Ray	620 4th Ave., Havre 59501	15	Hill	Democrat
Peterson, Mary Lou	Rt. 1, Box 117, Eureka 59917	1	Lincoln	Republican
Phillips, John E.	1200 32nd St. S., #61, Great Falls 59405	33	Cascade	Republican
Pistoria, Paul G.	2421 Central Ave., Great Falls 59401	36	Cascade	Democrat
Poff, Bing C.	Rt. 2, Box 54, Culbertson 59218	21	Richland	Democrat
Quilici, Joe	3040 Kossuth, Butte 59701	71	Silver Bow	Democrat
Ramirez, Jack	4042 Pine Cove Rd., Billings 59106	87	Yellowstone	Republican
Raney, Bob	212 S. 6th St., Livingston 59047	82	Park	Democrat
Rapp-Svrcek, Paul S.	Box 1392, Thompson Falls 59873	51	Sanders	Democrat
Ream, Bob	Box 7141, Missoula 59807	54	Missoula	Democrat
Rehberg, Dennis R.	Box 22232, Billings 59104	88	Yellowstone	Republican
Sales, Walter R.	3900 Stagecoach Tr., Manhattan 59741	76	Gallatin	Republican
Sands, Jack	3115 Poly Dr., Billings 59102	90	Yellowstone	Republican
Schultz, James M.	1210 7th Ave. N., Lewistown 59457	30	Fergus	Republican
Schye, Ted	North Star Rt., Glasgow 59230	18	Valley	Democrat
Simon, Bruce T.	217 Clark Ave., Billings 59101	91	Yellowstone	Republican
Smith, Clyde	148 Three Mile Dr., Kalispell 59901	5	Flathead	Republican
Spaeth, Gary	Silesia 59080	84	Carbon	Democrat
Swift, Bernie	SE 206 Rose Lane, Hamilton 59840	64	Ravalli	Republican
Switzer, L. Dean	Star Route 2, Richey 59259	28	Dawson	Republican
Thoft, Bob	1520 S. Burnt Fork Rd., Stevensville 59870	63	Ravalli	Republican
Thomas, Fred	146 Brook Lane, Stevensville 59870	62	Ravalli	Republican
Vincent, John	1020 S. 3rd, Bozeman 59715	80	Gallatin	Democrat
Waldron, Steve	Box 5233, Missoula 59806	58	Missoula	Democrat
Wallin, Norm	2422 Springcreek Dr., Bozeman 59715	78	Gallatin	Republican
Williams, J. Melvin (Mel)	511 8th Ave., Box 245, Laurel 59044	85	Yellowstone	Democrat
Winslow, Cal	1240 Crawford Dr., Billings 59102	89	Yellowstone	Republican
Zabrocki, Carl	Rt. 2, Box 3166, Miles City 59301	26	Custer	Democrat

HOUSE STANDING COMMITTEES

Agriculture, Livestock and Irrigation

M-W-F — 3:00 p.m. or adjournment — Room 317

Schultz, James, Chairman
Holliday, Gay, Vice-Chairman
Bachini, Bob
Cody, Dorothy
Compton, Duane
Devlin, Gerry
Ellerd, Robert
Ellison, Orval
Fritz, Harry
Howe, Ramona
Jenkins, Loren
Keller, Vernon
Koehnke, Francis
Patterson, John
Poff, Bing
Rapp-Svrcek, Paul
Spaeth, Gary
Switzer, L. Dean
Council Staff: Dave Cogley

Appropriations

Mon thru Fri — 8:00 a.m. — Room 104

Bardanoue, Francis, Chairman
Donaldson, Gene, Vice-Chairman
Bradley, Dorothy
Connelly, Mary Ellen
Ernst, Gene
Hand, Bill
Lory, Earl
Manuel Rex
Menahan, William "Red"
Miller, Ron
Moore, Jack
Nathe, Dennis
Peck, Ray
Quilici, Joe
Rehberg, Dennis
Spaeth, Gary
Swift, Bernie
Thoft, Bob
Waldron, Steve
Winslow, Cal
Staff: Judy Rippengale
Legislative Fiscal Analyst

APPROPRIATIONS—FINANCE AND CLAIMS

Joint Subcommittees

Education, Rm. 104

Representative Donaldson, Chairman
Representative Jack Moore
Representative Hand
Representative Peck
Senator Jacobson
Senator Haffey
Senator Hammond
Fiscal Analyst Staff: Pamela D. Joehler
Bill Sykes

General Government and Highways, Rm. 437

Representative Quilici, Chairman
Representative Connelly
Representative Lory
Senator Gage
Senator Stimatz
Senator Keating
Fiscal Analyst Staff: Clifford D. Roessner
Don Whitmer

Human Services, Rm. 108

Representative Winslow, Chairman
Representative Bradley
Representative Rehberg
Senator Story
Senator Manning
Senator Christiaens
Fiscal Analyst Staff: Peter Blouke
Taryn Purdy

Institutions and Cultural Education, Rm. 129

Representative Waldron, Chairman
Representative Miller
Representative Menahan
Senator Bengtson
Senator Himsl
Senator Aklestad
Fiscal Analyst Staff: Keith Wolcott

Long-Range Planning, Rm. 420

Representative Thoft, Chairman
Representative Ernst
Representative Bardanouve
Senator Van Valkenburg
Senator Fuller
Senator Tveit
Fiscal Analyst Staff: Madelyn Quinlan

Natural Resources, Rm. 132

Representative Manuel, Chairman
Representative Spaeth
Representative Nathe
Representative Swift
Senator Boylan
Senator Smith
Senator Lane
Fiscal Analyst Staff: Curtis M. Nichols

Business and Labor

Mon thru Fri — 8:00 a.m. — Room 312-2

Pavlovich, Bob, Chairman
Kitselman, Les, Vice-Chairman
Bachini, Bob
Brandewie, Ray
Brown, Jan
Driscoll, Jerry
Ellerd, Robert
Glaser, William
Hansen, Stella Jean
Hart, Marjorie
Howe, Ramona
Jones, Tom L.
Kadas, Mike
Keller, Vernon
McCormick, Lloyd "Mac"
Nisbet, Jerry
Schultz, James
Simon, Bruce
Thomas, Fred
Wallin, Norm
Council Staff: Paul Verdon

Education and Cultural Resources

M-W-F — 3:00 p.m. or adjournment — Room 312-3

Harrington, Dan, Chairman
Eudaily, Ralph, Vice-Chairman
Brandewie, Ray
Glaser, William
Hammond, Joe
Hannah, Tom
Harbin, Raymond
Kennerly, Roland
Kitselman, Les
Mercer, John
Montayne, John
Nelson, Richard
Nisbet, Jerry
Peck, Ray
Sands, Jack
Schye, Ted
Thomas, Fred
Williams, Mel

Council Staff: Andrea Merrill

Fish and Game

T-Th — 3:00 p.m. or adjournment — Room 317
Saturday On Call

Ream, Bob, Chairman
Ellison, Orval, Vice-Chairman
Cobb, John
Eudaily, Ralph
Grady, Ed
Hanson, Marian W.
Hart, Marjorie
Jenkins, Loren
McCormick, Lloyd "Mac"
Moore, Jan
Pavlovich, Bob
Phillips, John
Rapp-Svrcek, Paul

Council Staff: Dave Cogley

Highways and Transportation

T-Th — 3:00 p.m. or adjournment — Room 420
Saturday On Call

Harp, John, Chairman
Abrams, Hugh, Vice-Chairman
Campbell, Bud
Compton, Duane
Glaser, William
Harbin, Raymond
Howe, Ramona
Kennerly, Roland
Keyser, Kerry
Koehnke, Francis
O'Connell, Helen
Peterson, Mary Lou
Smith, Clyde
Zabrocki, Carl
Council Staff: Tom Gomez

Human Services and Aging

M-W-F — 3:00 p.m. or adjournment — Room 312-2

Keenan, Nancy, Chairman
Gould, R. Budd, Vice-Chairman
Bergene, Toni R.
Bradley, Dorothy
Brown, Jan
Campbell, Bud
Cohen, Ben
Connelly, Mary Ellen
Darko, Paula
Gilbert, Bob
Hansen, Stella Jean
Hanson, Marian W.
Hart, Marjorie
Hayne, Harriet
Phillips, John
Simon, Bruce
Waldron, Steve
Wallin, Norm
Council Staff: Tom Gomez

Judiciary

Mon thru Fri — 8:00 a.m. — Room 312-3

Hannah, Tom, Chairman
Brown, Dave, Vice-Chairman
Addy, Kelly
Bergene, Toni R.
Cobb, John
Darko, Paula
Eudaily, Ralph
Gould, R. Budd
Grady, Ed
Hammond, Joe
Keyser, Kerry
Krueger, Kurt
Mercer, John
Miles, Joan
Montayne, John
O'Hara, Jesse
Poff, Bing
Rapp-Svrcek, Paul
Council Staff: Brenda Desmond

Legislative Administration

On Call

Menahan, William "Red", Chairman
Keyser, Kerry, Vice-Chairman
Brown, Jan
Donaldson, Gene
Grady, Ed
Zabrocki, Carl

Local Government

T-Th — 3:00 p.m. or adjournment — Room 129
Saturday On Call

Darko, Paula, Chairman
Wallin, Norm, Vice-Chairman
Brandewie, Ray
Brown, Dave
Fritz, Harry
Gilbert, Bob
Hansen, Stella Jean
Kadas, Mike
Kitselman, Les
Pistoria, Paul
Poff, Bing
Sales, Walter
Sands, Jack
Switzer, L. Dean
Staff: Lee Heiman

Natural Resources

M-W-F — 3:00 p.m. or adjournment — Room 312-1

Iverson, Dennis, Chairman
Kadas, Mike, Vice-Chairman
Addy, Kelly
Asay, Tom
Cobb, John
Driscoll, Jerry
Garcia, Rodney
Grady, Ed
Harp, John
Jones, Tom L.
Krueger, Kurt
Miles, Joan
Moore, Jan
O'Hara, Jesse
Peterson, Mary Lou
Raney, Bob
Ream, Bob
Smith, Clyde
EQC Staff: Hugh Zackheim

Rules

On Call

Ramirez, Jack, Chairman
Harper, Hal, Vice-Chairman
Addy, Kelly
Brown, Dave
Keyser, Kerry
Marks, Robert
Moore, Jack
Quilici, Joe
Schultz, James
Vincent, John

State Administration

Mon thru Fri — 8:00 a.m. — Room 317

Sales, Walter, Chairman
O'Connell, Helen, Vice-Chairman
Campbell, Bud
Cody, Dorothy
Compton, Duane
Fritz, Harry
Harbin, Raymond
Hayne, Harriet
Holliday, Gay
Jenkins, Loren
Kennerly, Roland
Moore, Jan
Nelson, Richard
Peterson, Mary Lou
Phillips, John
Pistoria, Paul
Smith, Clyde
Council Staff: Lois Menzies

Taxation

Mon thru Fri — 8:00 a.m. — Room 312-1

Devlin, Gerry, Chairman
Williams, Mel, Vice-Chairman
Abrams, Hugh
Asay, Tom
Cohen, Ben
Ellison, Orval
Gilbert, Bob
Hanson, Marian W.
Harp, John
Harrington, Dan
Iverson, Dennis
Keenan, Nancy
Koehnke, Francis
Patterson, John
Raney, Bob
Ream, Bob
Sands, Jack
Schye, Ted
Switzer, L. Dean
Zabrocki, Carl
Council Staff: Dave Bohyer

HOUSE JOURNAL
OF THE
Forty-Ninth Legislature
OF THE
State of Montana

HOUSE JOURNAL

OF THE

Forty-ninth Legislature

OF THE

State of Montana

FIRST LEGISLATIVE DAY

Helena, Montana
January 7, 1985

House Chambers
State Capitol

Pursuant to the Constitution of the State of Montana, at the hour of 12:00 noon, the House of Representatives of the Forty-ninth Legislature of the State of Montana was called to order by the Honorable Jim Waltermire, Secretary of State of Montana, who extended greetings to the members on behalf of the State of Montana.

Posting of the Colors by Captain Bud Revious and members of the Montana Air National Guard, and the Pledge of Allegiance to the Flag followed.

The invocation was given by Father O'Donnell.

Chief Clerk Ed Smith called the roll by districts as follows: District No. 1, Mary Lou Peterson; District No. 2, Paula A. Darko; District No. 3, Benjamin R. "Ben" Cohen; District No. 4, Tom L. Jones; District No. 5, Clyde Smith; District No. 6, Richard M. Nelson; District No. 7, John G. Harp; District No. 8, Mary Ellen Connolly; District No. 9, Roland F. Kennerly; District No. 10, Harriet Hayne; District No. 11, Rex Manuel; District No. 12, Dennis Iverson; District No. 13, Loren Jenkins; District No. 14, Bob Bachini; District No. 15, Ray Peck; District No. 16, Francis Bardonoue; District No. 17, Duane W. Compton; District No. 18, Ted Schye; District No. 19, Dennis G. Nathe; District No. 20, Dorothy A. Cody; District No. 21, Bing C. Poff; District No. 22, Bob Gilbert; District No. 23, Marjorie Hart; District No. 24, Hubert J. Abrams; District No. 25, Gerry Devlin; District No. 26, Carl J. Zabrocki; District No. 27, Tom Asay; District No. 28, L. Dean Switzer; District No. 29, Gene N. Ernst; District No. 30, James M. Schultz; District No. 31, Gay Holliday; District No. 32, Francis Koehnke; District No. 33, John E. Phillips; District No. 34, Ron Miller; District No. 35, Gerald D. "Jerry" Nisbet; District No. 36, Paul G. Pistoria; District No. 37, Jack K. Moore; District No. 38, Lloyd J. "Mac" McCormick; District No. 39, Jesse A. O'Hara; District No. 40, Helen G. O'Connell; District No. 41, Toni R. Bergene; District No. 42, John Cobb; District No. 43, Gene Donaldson; District No. 44, Hal Harper; District No. 45, Joan Miles; District No. 46, Jan Brown; District No. 47, Edward J. Grady; District No. 48, Bud Campbell; District No. 49, Ray Brandewie; District No. 50, John A. Mercer; District No. 51, Paul S. Rapp-Svrcek; District No. 52, Joe Hammond; District No. 53, Raymond K. Harbin; District No. 54, Bob Ream; District No. 55, Mike Kadas; District No. 56, Harry Fritz; District No. 57, Stella Jean Hansen; District No. 58, Steve Waldron; District No. 59, Earl C. Lory; District No. 60, Ralph S. Eudaily; District No. 61, R. Budd Gould; District No. 62, Fred Thomas; District

No. 63, Bob Thoft; District No. 64, Bernie Swift; District No. 65, Janet Moore; District No. 66, Nancy A. Keenan; District No. 67, William "Red" Menahan; District No. 68, Dan W. Harrington; District No. 69, Kurt Krueger; District No. 70, Robert "Bob" J. Pavlovich; District No. 71, Joe Quilici; District No. 72, Dave Brown; District No. 73, Bill Hand; District No. 74, Kerry R. Keyser; District No. 75, Robert L. "Bob" Marks; District No. 76, Walter R. Sales; District No. 77, Robert A. Eller; District No. 78, Norm Wallin; District No. 79, Dorothy Bradley; District No. 80, John Vincent; District No. 81, Orval S. Ellison; District No. 82, Bob Raney; District No. 83, Vernon V. Keller; District No. 84, Gary Spaeth; District No. 85, J. Melvin "Mel" Williams; District No. 86, Tom Hannah; District No. 87, Jack Ramirez; District No. 88, Dennis R. Rehberg; District No. 89, Cal Winslow; District No. 90, Jack Sands; District No. 91, Bruce T. Simon; District No. 92, Jerry L. Driscoll; District No. 93, Rodney L. Garcia; District No. 94, Kelly Addy; District No. 95, Les Kitselman; District No. 96, John D. Montayne; District No. 97, John W. Patterson; District No. 98, William E. "Bill" Glaser; District No. 99, Ramona E. Howe; District No. 100, Marian W. Hanson.

Secretary of State Waltermire introduced the Honorable John Sheehy, Associate Justice of the Montana Supreme Court, who administered the following oath:

"I do solemnly swear that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Montana, and that I will discharge the duties of my office as representative with fidelity, so help me God."

Thereupon, having presented their certificates of election, the House members subscribed the foregoing oath.

Representative John Vincent moved that the House adopt the Memorandum of Agreement between the House Democratic and Republican Leadership. The following memorandum was adopted by voice vote:

Memorandum of Agreement

Between the elected leadership of the Democratic
and Republican caucuses of the House of Representatives

Regarding the Organization of the Montana House of Representatives

Whereas, at the general election held November 6, 1984, 50 Democrats and 50 Republicans were elected to serve in the Montana House of Representatives, and

Whereas, it serves the best interests of the people of the State of Montana and the best interests of the House of Representatives of the State of Montana that the organization and operation of the House be conducted in a fair and impartial manner, and

Whereas, there is no precedent since statehood for organizing and operating the House of Representatives when there are an equal number of representatives in each political party, and

Whereas, the elected leadership of each caucus met and conferred on November 17 and 18, 1984 for the purpose of reaching a mutually satisfactory conclusion regarding the organization and operation of the House of Representatives, and

Whereas, such a mutually satisfactory conclusion has been reached.

Therefore, the undersigned elected representatives of the Democratic and Republican House Caucuses agree and pledge themselves to support the following:

1. Officers of the House. a. To reflect the even division of the House, the term "majority" and "minority" normally associated with respective caucus leaders will be changed to reflect the particular caucus that selected the officer.

b. The nominee for Speaker pro tempore of the party whose nominee has been elected Speaker shall be deemed to be elected Speaker pro tempore.

c. There is an additional officer of the House to be known as the (party name) House Leader. The nominee for Speaker of the party not then having a member of his party as governor is deemed to be elected to this position.

d. The House Democratic caucus shall elect a Democratic Floor Leader and Democratic Whip, and the House Republican Caucus shall elect a Republican Floor Leader and Republican Whip.

e. If, on January 7, 1985, following the swearing in of the members of the Montana House of Representatives, there is a tie vote between the Democratic caucus nominee for Speaker and the Republican caucus nominee for Speaker, then, consistent with the provisions of section 5-2-216, MCA, the Republican nominee for Speaker shall move that the Democratic nominee be elected by acclamation.

2. Duties of the Speaker. The duties of the Speaker as presiding officer shall be those duties traditionally associated with the position as provided in the Rules of the Montana Legislature. Other duties of the Speaker are modified as provided in this agreement.

3. Organization of Standing Committees of the House. a. Each standing committee shall be composed of an equal number of members of each political party.

b. There will be an equal number of committees chaired by members of each political party.

c. The vice-chairman of each committee will be of the opposite party from the chairman.

d. Representatives of the Democratic Party will chair the following committees: Appropriations, Business and Labor, Education and Cultural Resources, Fish and Game, Legislative Administration/Bills and Journal, Local Government, and Human Services and Aging.

e. Representatives of the Republican Party will chair the following committees: Agriculture, Livestock and Irrigation, Highways and Transportation, Judiciary, Natural Resources, Rules, State Administration, and Taxation.

f. The Speaker shall appoint the Democratic committee chairmen and vice-chairmen and the Republican House Leader shall appoint the Republican committee chairmen and vice-chairmen. The Speaker and the Republican House Leader shall appoint such chairmen and vice-chairmen after good faith consultation.

g. The members of the standing and select committees shall be appointed by the Speaker and Republican House Leader after good faith consultation. Each leader shall appoint the members of his respective party.

The authority to appoint carries with it the authority to remove a member from a committee.

h. The Speaker, the Republican House Leader, and the two floor leaders are ex officio non-voting members of all committees.

i. A tie vote in a standing committee on the question of a recommendation to the whole house on a matter before the committee, for example on a question of whether a bill “do pass”, or “do not pass”, shall result in the matter passing out to the whole house for consideration without recommendation.

4. Appointment and Recommendations of Conference Committees. a. Conference committees shall be composed of an equal number of members from each political party. The members of conference committees shall be appointed by the Speaker and the Republican House Leader after good faith consultation. Each leader shall appoint the members of his respective party.

b. A tie vote in a conference committee on the question of a recommendation to the whole house on a matter referred for a conference shall result in the matter passing out to the whole house for consideration without recommendation.

5. Appointment to Statutory Committees. Appointments to committees made by the Speaker in accordance with statutory provisions shall be made by the Speaker after good faith consultation with the Republican House Leader. Other appointments shall be made as provided in statute.

6. Subcommittees of the Committee on Appropriations. a. There will be six subcommittees of the Committee on Appropriations. Three subcommittees will be chaired by Democratic representatives and three by Republican representatives. The subcommittee chairmen will be appointed in the same manner as provided for the appointment of committee chairmen in paragraph 3.f.

b. The following subcommittees will be chaired by Democratic representatives: General Government and Highways (formerly know as Legislative, Judicial, and Administrative), Institutions, and Natural Resources.

c. The following subcommittees will be chaired by Republican representatives: Education, Human Services, and Long-Range Building.

7. Legislative Staff. Staff and attaches of the House shall be appointed on the basis of competence and, to the extent partisanship is involved, on an equally bipartisan basis. The personal secretaries to the Speaker, Republican House Leader, and the respective floor leaders are exempt from this portion of the agreement.

8. Office Space. Equal office space shall be designated for the use of Democratic and Republican House leadership.

9. Scheduling and Assignment of Bills. The Speaker shall set the schedule for the House and assign bills for committee consideration and for debate on second reading after good faith consultation with the Republican House Leader.

10. Procedural Motions. The Democratic Floor Leader shall make routine procedural motions required to conduct the business of the House.

11. Authority to Request Fiscal Notes. Upon request of the Republican House Leader, the Speaker will submit a request for a fiscal note on any measure.

12. Authority of Rules and Legislative Administration Committee Vice-chairmen. The vice-chairmen of the committees on rules and legislative administration have authority to call meetings equal to the chairmen.

13. Amendment to Rules. The Joint Rules and the House Rules shall be amended as required to reflect the respective responsibilities of the Democratic and Republican House leaders as reflected in this memorandum of agreement.

14. Entry on the Journal. This memorandum of agreement shall be entered upon the Journal on the first legislative day after swearing in the members and before election of officers.

For the Democratic Caucus:

John Vincent
Hal Harper
Joe Quilici

For the Republican Caucus:

Robert L. Marks
Jack Ramirez
Kerry Keyser

The Secretary of State called for nominations for Speaker of the House of Representatives. Representative Harper nominated Representative John Vincent, District No. 80; Representative Ramirez nominated Representative Robert L. Marks, District No. 75. Nominations were closed and the following roll call votes were cast:

For Representative Vincent: Abrams, Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Miles, Montayne, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Zabrocki.
Total 50.

For Representative Marks: Asay, Bergene, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Winslow.
Total 50.

Representative Marks moved that Representative Vincent be elected by acclamation. Motion carried.

Secretary Waltermire therefore declared Representative John Vincent of District No. 80 duly elected Speaker of the House of Representatives for the 49th Legislature.

Representatives Marks and Harper escorted the newly-elected Speaker to the rostrum where he was formally introduced by the Secretary of State and presented with the Speaker's gavel. The Speaker delivered the following address:

ACCEPTANCE SPEECH BY SPEAKER JOHN VINCENT
49TH LEGISLATIVE ASSEMBLY
January 7, 1985

The first legislative day in the Montana House of Representatives is always a special occasion — for this House personifies the democratic system and our democratic way of life in a way that rivals any body of elected officials in the United States, and this day brings together for the first time

representatives who are — given both our state's size and population — as close to the people who elected them as any in the nation.

This day is an important and significant occasion even in the most normal of times and under the most familiar of circumstances.

Today, of course, we have neither. The times are difficult — especially in regard to matters of finance and budget — and the circumstances are anything but familiar.

Fifty Democrats and fifty Republicans having been elected to the House, we have a unique situation of historical significance. And, of course, we have the uncertainties and questions that accompany any new, demanding situation.

But unique situations present new challenges and opportunities. Our opportunity is to show the people of Montana that we can make the system work. The challenge, of course, is to accomplish that goal.

To do so, we will have to keep our partisanship in perspective. We will have to hammer out bi-partisan solutions, while at the same time honoring those principles we value as Democrats and as Republicans. We will need to accentuate the positive and de-emphasize the negative. We will need to nurture trust rather than invite suspicion. We will need to work for cooperation rather than plan for confrontation.

And all this must take place given the realities of the legislature and its politics.

Cooperation does not mean — nor should it mean — the absence of disagreement and debate. Our system would soon fail us without the vital give and take that our two-party system allows and responsible partisan debate provides.

So our challenge is to recognize the realities and value of partisanship while at the same time working to accommodate and reconcile our differences in an atmosphere and bi-partisan cooperation rather than partisan confrontation.

It will take hard work. It will require negotiation and compromise. It will demand that we call upon the best of what we are and the best of what we can be.

And it will not be easy. But we have already made a good start — a bi-partisan effort that has been acknowledged and applauded on several occasions in our state's press.

It is my hope we can build on this positive beginning and apply the good work we have already done to the difficult issues we face on behalf of all those we represent.

I believe that we are equal to the task and I ask for your help in making this a positive and productive session.

It has been said that a politician is someone who shakes your hand before an election and your confidence afterwards. Let us, by our efforts and our commitment to the job we were elected to do, prove this saying false and earn a well-deserved handshake of confidence when we return home. Let us be the best of what we can be.

Thank you.

MOTIONS

Representative Quilici moved that the following individuals be nominated as officers for the House of Representatives for the 49th Legislature:

House Republican Leader — Robert Marks
 Speaker Pro-tem — Rex Manuel
 Democratic Floor Leader — Hal Harper
 Republican Floor Leader — Jack Ramirez
 Democratic Whip — Joe Quilici
 Republican Whip — Kerry Keyser
 Chief Clerk — Ed Smith
 Sergeant-at-Arms — Chuckie Cramer
 Chaplain — Robert O'Donnell

Representative Ramirez moved that a unanimous ballot be cast for the above nominations. Motion carried.

Representative Harper moved that the temporary rules of the House be the joint rules of the House and Senate of the 48th Legislature as modified by the Memorandum of Agreement. Motion carried.

Representative Harper moved that the Speaker appoint a committee of four to notify the Governor that the House is now organized and ready for business. Motion carried.

Speaker Vincent appointed Representatives Bardanoue, Bergene, Hart, and Lory and dismissed them from the chamber.

Representative Harper moved that the Speaker appoint a committee of four to notify the Honorable Senate that the House is now organized and ready to do business. Motion carried.

Speaker Vincent appointed Representatives Ellerd, Holliday, Miller, and Kennerly and dismissed them from the chamber.

Representative Harper moved that the Speaker appoint a committee of four to notify the Chief Justice and members of the Supreme Court that the House is now organized and ready for business. Motion carried.

Speaker Vincent appointed Representatives O'Connell, Ellison, Williams, and Thoft and dismissed them from the chamber.

REPORTS OF STANDING COMMITTEES

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Menahan,
 Chairman): 1/7/85

Recommend that the following employees be hired by the 49th Legislature:

CHIEF CLERK'S OFFICE

Ed Smith	Chief Clerk
Al Abramson	Assistant Chief Clerk
Nikki Dye	Secretary to the Chief Clerk
Jim Whitehead	Legislative Assistant
Joe Robinson	Secretary to Assistant Chief Clerk
Pat Tyanich	Bill Clerk
Jean McLane	Assistant Bill Clerk
Rosana Winterburn	Journal Clerk
Janet Matteucci	Assistant Journal Clerk
Helen Raptis	Reading Clerk
Christine Petrosky	Reading Clerk
Bonnie Anderson	Amendments Coordinator
Kathleen McLaughlin	Assistant Amendments Coordinator
Reed Wolstein	Bill Coordinator
Shirley Johnson	Assistant Bill Coordinator
Karma Alfredson	Status Input Technician

Jan Diamond.....Status Input Technician
 Elaine Rung.....Chief Stenographer
 Betty Jakovac.....Assistant Chief Stenographer

Committee Secretaries:

Marianne Bagley.....Local Government - Darko
 Corrinne Reneau-Fay.....Education - Harrington
 Colleen Johnson.....Subcommittee Human Services - Winslow
 Janet Pallister.....Subcommittee Long Range Bldg. - Thoft
 Linda Robbins.....Natural Resources - Iverson
 Lita Buck.....Agriculture - Schultz
 Alice Omang.....Taxation - Devlin
 Joann (Jodi) DeWolf.....Highways and Transportation - Harp
 Kathy Mackay.....Subcommittee General Govt. - Quilici
 Marcene Lynn.....Judiciary - Hannah
 Sheryl Secora.....Subcommittee Natural Resources - Manuel
 Jean Carroll.....Appropriations - Bardanouve
 Debbie Aqui.....Business and Labor - Pavlovich
 Alberta Strachan.....Human Services - Keenan
 Lynn Tumey.....Subcommittee on Institutions - Waldron
 Joyce Beckes.....Subcommittee on Education - Donaldson
 Louise Sullivan.....State Administration - Sales
 Billie Flamm.....Fish and Game - Ream
 Laurie Stevenson.....Amendments Office

Steno Pool:

Vickie Menard.....Stenographer
 Bev Braut.....Stenographer
 Deb Thompson.....Stenographer
 Mary Florence Root.....Stenographer
 Julie Emge.....Stenographer
 Betty Argenbright.....Stenographer
 Marlene Kelbar.....Stenographer
 Kelli Pronovost.....Stenographer

Telephone Office:

Linda Carlson.....Legislative Telephone Operator
 Janine Rux.....Assistant Legislative Telephone Operator

SERGEANT-AT-ARMS

Chuckie Cramer.....Sergeant-at-Arms
 Mike Sassano.....Assistant Sergeant-at-Arms
 Vince Terrell.....Assistant Sergeant-at-Arms
 Mary Kay Bennett.....Assistant Sergeant-at-Arms
 Corky Van Dyke.....Supply Clerk
 Jack McCarthy.....Doorman, 3rd Floor
 Harry Draper.....Security Guard
 Alan Morris.....Security Guard
 Delbert Ruggles.....Security Guard
 Daniel Lemire.....Security Guard
 Donald Antonietti.....Security Guard
 Eric Wordal.....Security Guard

LEADERSHIP STAFF

Joyce Andrus.....Secretary to the Speaker of the House
 Claudia Clifford.....Legislative Assistant
 Victoria Armstrong.....Page to the Speaker of the House
 Martha Brass.....Aide to the Republican Leader
 Betti Hill.....Legislative Assistant
 Richard Perko.....Legislative Assistant

Bitsy Kropp.....Page to the Republican Leader
 Emilia Satre.....Secretary to the Democratic Floor Leader
 Barbara Lester.....Secretary to the Republican Floor Leader
 Fred E. Brown.....Legislative Assistant to Rep. Bud Gould

CHAPLAIN

Robert J. O'Donnell.....Chaplain

Pages for the week of January 7 through January 11, 1985:

Kelly Miller, Helena
 Mike Ellinghouse, Missoula
 Elizabeth O'Halloran, Polson
 Eileen Pitman, Billings
 Richard Benjamin, Billings
 Cynthia Munk, Stevensville
 Mike Van Duym, Helena

Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 1, introduced by Bardanoue. Referred to Committee on Appropriations.

HB 2, introduced by Sands, (By Request of the Coal Tax Oversight Subcommittee). Referred to Committee on Fish and Game.

HB 3, introduced by Marks, (By Request of Joint Interim Subcommittee No. 2). Referred to Committee on State Administration.

HB 4, introduced by Manuel, (By Request of the Code Commissioner). Referred to Committee on Judiciary.

HB 5, introduced by Manuel, (By Request of the Legislative Council). Referred to Committee on State Administration.

HB 6, introduced by Marks, (By Request of the Code Commissioner). Referred to Committee on Natural Resources.

HB 7, introduced by Marks, (By Request of the Legislative Council). Referred to Committee on State Administration.

HB 8, introduced by Marks, (By Request of the Code Commissioner). Referred to Committee on Local Government.

HB 9, introduced by Eudaily, (By Request of the Legislative Council). Referred to Committee on Rules.

HB 10, introduced by Eudaily, (By Request of the Code Commissioner). Referred to Committee on Education and Cultural Resources.

HB 11, introduced by Hannah, (By Request of Joint Interim Subcommittee No. 4). Referred to Committee on Education and Cultural Resources.

HB 12, introduced by Bardanoue, (By Request of the Legislative Finance Committee). Referred to Committee on Appropriations.

HB 13, introduced by Kennerly, (By Request of the Select Committee on Indian Affairs). Referred to Committee on State Administration.

HB 14, introduced by Asay, (By Request of the Select Committee on Indian Affairs). Referred to Committee on State Administration.

HB 15, introduced by Williams, (By Request of the Department of Labor and Industry). Referred to Committee on Education and Cultural Resources.

HB 16, introduced by Marks, (By Request of Interim Subcommittee No. 2). Referred to Committee on Judiciary.

- HB 17**, introduced by Marks, (By Request of Interim Subcommittee No. 2). Referred to Committee on Judiciary.
- HB 18**, introduced by Donaldson. Referred to Committee on Education and Cultural Resources.
- HB 19**, introduced by Quilici, (By Request of the Department of Highways). Referred to Committee on Highways.
- HB 20**, introduced by Quilici, (By Request of the Department of Highways). Referred to Committee on Business and Labor.
- HB 21**, introduced by Quilici, (By Request of the Department of Highways). Referred to Committee on Highways.
- HB 22**, introduced by Quilici, (By Request of the Department of Highways). Referred to Committee on Highways.
- HB 23**, introduced by Quilici, (By Request of the Department of Highways). Referred to Committee on Highways.
- HB 24**, introduced by Koehnke. Referred to Committee on Taxation.
- HB 25**, introduced by Ramirez, (By Request of the Revenue Oversight Committee). Referred to Committee on Taxation.
- HB 26**, introduced by Switzer, (By Request of the Revenue Oversight Committee). Referred to Committee on Taxation.
- HB 27**, introduced by Williams, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.
- HB 28**, introduced by Williams, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Business and Labor.
- HB 29**, introduced by Williams, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Business and Labor.
- HB 30**, introduced by Williams, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.
- HB 31**, introduced by Williams, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.
- HB 32**, introduced by Keenan, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Business and Labor.
- HB 33**, introduced by Keenan, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.
- HB 34**, introduced by Keenan, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.
- HB 35**, introduced by Ernst. Referred to Committee on Highways.
- HB 36**, introduced by Kitselman. Referred to Committee on Taxation.
- HB 37**, introduced by Harrington. Referred to Committee on State Administration.
- HB 38**, introduced by D. Brown, Fuller. Referred to Committee on Appropriations.
- HB 39**, introduced by Ellison. Referred to Committee on Fish and Game.
- HB 40**, introduced by Hannah. Referred to Committee on Judiciary.
- HB 41**, introduced by Hannah. Referred to Committee on Business and Labor.
- HB 42**, introduced by Manuel, (By Request of the Code Commissioner). Referred to Committee on Taxation.
- HB 43**, introduced by Harper. Referred to Committee on Business and Labor.

- HB 44**, introduced by Waldron. Referred to Committee on Human Services and Aging.
- HB 45**, introduced by Waldron, (By Request of the Office of Budget and Program Planning). Referred to Committee on Taxation.
- HB 46**, introduced by Swift. Referred to Committee on Human Services and Aging.
- HB 47**, introduced by Swift. Referred to Committee on Judiciary.
- HB 48**, introduced by Swift. Referred to Committee on Judiciary.
- HB 49**, introduced by Harrington. Referred to Committee on Human Services and Aging.
- HB 50**, introduced by Kitselman. Referred to Committee on Judiciary.
- HB 51**, introduced by Winslow. Referred to Committee on State Administration.
- HB 52**, introduced by Manuel, (By Request of the Board of Crime Control). Referred to Committee on Human Services and Aging.
- HB 53**, introduced by Hannah. Referred to Committee on Judiciary.
- HB 54**, introduced by Marks. Referred to Committee on Taxation.
- HB 55**, introduced by Gilbert. Referred to Committee on Highways.
- HB 56**, introduced by Gilbert. Referred to Committee on Highways.
- HB 57**, introduced by Gilbert. Referred to Committee on Highways.
- HB 58**, introduced by Gilbert. Referred to Committee on Highways.
- HB 59**, introduced by Connelly. Referred to Committee on Local Government.
- HB 60**, introduced by Hanson, (By Request of the Department of Livestock). Referred to Committee on Agriculture.
- HB 61**, introduced by Hanson, (By Request of the Department of Livestock). Referred to Committee on Agriculture.
- HB 62**, introduced by Bradley. Referred to Committee on Taxation.
- HB 63**, introduced by Donaldson, (By Request of the Bureau of Mines and Geology). Referred to Committee on State Administration.
- HB 64**, introduced by Cody. Referred to Committee on Taxation.
- HB 65**, introduced by Zabrocki. Referred to Committee on Highways.
- HB 66**, introduced by O'Connell. Referred to Committee on Highways.
- HB 67**, introduced by Sands. Referred to Committee on Appropriations.
- HB 68**, introduced by Hand. Referred to Committee on Taxation.
- HB 69**, introduced by Bradley. Referred to Committee on Judiciary.
- HB 70**, introduced by Hand. Referred to Committee on State Administration.
- HB 71**, introduced by Sands. Referred to Committee on Education and Cultural Resources.
- HB 72**, introduced by Kitselman. Referred to Committee on Business and Labor.
- HB 73**, introduced by Holliday. Referred to Committee on Taxation.
- HB 74**, introduced by Jones. Referred to Committee on State Administration.
- HB 75**, introduced by Hannah. Referred to Committee on Local Government.
- HB 76**, introduced by Williams. Referred to Committee on Local Government.
- HB 77**, introduced by Williams. Referred to Committee on Local Government.
- HB 78**, introduced by Williams. Referred to Committee on State Administration.
- HB 79**, introduced by Harrington. Referred to Committee on Education and Cultural Resources.

- HB 80**, introduced by Waldron, Lory, (By Request of the Commissioner of Higher Education). Referred to Committee on Education and Cultural Resources.
- HB 81**, introduced by Ellison. Referred to Committee on Natural Resources.
- HB 82**, introduced by Peck. Referred to Committee on State Administration.
- HB 83**, introduced by Harper. Referred to Committee on Judiciary.
- HB 84**, introduced by Harper. Referred to Committee on State Administration.
- HB 85**, introduced by Lory. Referred to Committee on Business and Labor.
- HB 86**, introduced by Koehnke. Referred to Committee on Highways.
- HB 87**, introduced by Quilici, (By Request of the Department of Military Affairs). Referred to Committee on State Administration.
- HB 88**, introduced by Keyser, (By Request of the Board of Crime Control). Referred to Committee on Judiciary.
- HB 89**, introduced by Gilbert. Referred to Committee on Highways.
- HB 90**, introduced by Harbin. Referred to Committee on Business and Labor.
- HB 91**, introduced by Ernst. Referred to Committee on Fish and Game.
- HB 92**, introduced by Ernst. Referred to Committee on Taxation.
- HB 93**, introduced by Ernst. Referred to Committee on Fish and Game.
- HB 94**, introduced by Ernst, (By Request of the Division of Motor Vehicles). Referred to Committee on State Administration.
- HB 95**, introduced by Ramirez. Referred to Committee on Judiciary.
- HB 96**, introduced by Holliday. Referred to Committee on Business and Labor.
- HB 97**, introduced by Gilbert. Referred to Committee on Business and Labor.
- HB 98**, introduced by Winslow. Referred to Committee on State Administration.
- HB 99**, introduced by Bradley. Referred to Committee on Education and Cultural Resources.
- HB 100**, introduced by D. Brown. Referred to Committee on Education and Cultural Resources.
- HB 101**, introduced by D. Brown. Referred to Committee on Taxation.
- HB 102**, introduced by D. Brown. Referred to Committee on State Administration.
- HB 103**, introduced by D. Brown. Referred to Committee on Judiciary.
- HB 104**, introduced by Marks. Referred to Committee on Local Government.
- HB 105**, introduced by Marks. Referred to Committee on Taxation.
- HB 106**, introduced by Connelly. Referred to Committee on Judiciary.
- HB 107**, introduced by Miller. Referred to Committee on Business and Labor.
- HB 108**, introduced by Winslow. Referred to Committee on Local Government.
- HB 109**, introduced by Schye. Referred to Committee on Judiciary.
- HB 110**, introduced by Schye. Referred to Committee on Agriculture.
- HB 111**, introduced by D. Brown. Referred to Committee on Judiciary.
- HB 112**, introduced by D. Brown. Referred to Committee on Appropriations.
- HB 113**, introduced by Miles, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Human Services and Aging.

- HB 114**, introduced by Miles, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Human Services and Aging.
- HB 115**, introduced by Miles, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Judiciary.
- HB 116**, introduced by Miles, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Human Services and Aging.
- HB 117**, introduced by Ream. Referred to Committee on State Administration.
- HB 118**, introduced by Hannah. Referred to Committee on Local Government.
- HB 119**, introduced by Miles, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Human Services and Aging.
- HB 120**, introduced by Nathe. Referred to Committee on Taxation.
- HB 121**, introduced by Nathe. Referred to Committee on Business and Labor.
- HB 122**, introduced by D. Brown. Referred to Committee on Taxation.
- HJR 2**, introduced by Spaeth, (By Request of the Administrative Code Committee). Referred to Committee on State Administration.
- HJR 3**, introduced by Eudaily, (By Request of the Legislative Council). Referred to Committee on Rules.
- HJR 4**, introduced by Sands. Referred to Committee on Appropriations.
- HJR 5**, introduced by Asay. Referred to Committee on Natural Resources.
- HJR 6**, introduced by J. Brown. Referred to Committee on Human Services and Aging.
- HR 1**, introduced by Ramirez. Referred to Committee on Rules.

REPORTS OF SELECT COMMITTEES

A committee from the Senate composed of Senators Towe, Himsl, and Hirsch was admitted and reported to the House that the Senate was organized and ready for any legislation the House might care to send them.

The committee appointed to notify the Senate that the House was ready for business reported that it had done so. They were thanked for their faithful performance and discharged.

The committee appointed to notify the Governor that the House was ready for business reported that the Governor extends his best wishes for a fruitful session. The committee was thanked for their faithful performance and discharged.

The committee appointed to notify the Supreme Court that the House was ready for business reported that it had done so. They were thanked for their faithful service and discharged.

SPECIAL ORDERS OF THE DAY

The following committee chairmen and members were appointed:

AGRICULTURE

James Schultz - Chairman
Gay Holliday - Vice-Chairman
Bob Bachini
Dorothy Cody

Duane Compton
Gerry Devlin
Robert Ellerd
Orval Ellison
Harry Fritz
Ramona Howe
Loren Jenkins
Vernon Keller
Francis Koehnke
John Patterson
Bing Poff
Paul Rapp-Svrcek
Gary Spaeth
Dean Switzer

APPROPRIATIONS

Francis Bardanoue - Chairman
Gene Donaldson - Vice-Chairman
Dorothy Bradley
Mary Ellen Connelly
Gene Ernst
Bill Hand
Earl Lory
Rex Manuel
William Menahan
Ron Miller
Jack Moore
Dennis Nathe
Ray Peck
Joe Quilici
Dennis Rehberg
Gary Spaeth
Bernie Swift
Bob Thoft
Steve Waldron
Cal Winslow

APPROPRIATIONS SUBCOMMITTEES

Education

Gene Donaldson - Chairman
Bill Hand
Jack Moore
Ray Peck
Jack Haffey
Swede Hammond
Judy Jacobson

Human Services

Cal Winslow - Chairman
Dorothy Bradley
Dennis Rehberg
Chris Christiaens
Richard Manning
Pete Story

Institutions and Cultural Education

Steve Waldron - Chairman

William Menahan
Ron Miller
Gary Aklestad
Esther Bengston
Matt Himsl

Long-Range Planning

Bob Thoft - Chairman
Francis Bardanouve
Gene Ernst
David Fuller
Larry Tveit
Fred Van Valkenburg

Natural Resources

Rex Manuel - Chairman
Dennis Nathe
Gary Spaeth
Bernie Swift
Paul Boylan
Leo Lane
Ed Smith

General Government and Highways

Joe Quilici - Chairman
Mary Ellen Connelly
Earl Lory
Delwyn Gage
Thomas Keating
Larry Stimatz

BUSINESS AND LABOR

Bob Pavlovich - Chairman
Les Kitselman - Vice-Chairman
Bob Bachini
Ray Brandewie
Jan Brown
Jerry Driscoll
Robert Ellerd
William Glaser
Stella Jean Hansen
Marjorie Hart
Ramona Howe
Tom Jones
Mike Kadas
Vernon Keller
Lloyd McCormick
Jerry Nisbet
James Schultz
Bruce Simon
Fred Thomas
Norm Wallin

EDUCATION AND CULTURAL RESOURCES

Dan Harrington - Chairman
Ralph Eudaily - Vice-Chairman
Ray Brandewie

William Glaser
Joe Hammond
Tom Hannah
Raymond Harbin
Roland Kennerly
Les Kitselman
John Mercer
John Montayne
Richard Nelson
Jerry Nisbet
Ray Peck
Jack Sands
Ted Schye
Fred Thomas
Mel Williams

FISH AND GAME

Bob Ream - Chairman
Orval Ellison - Vice-Chairman
John Cobb
Ralph Eudaily
Edward Grady
Marian Hanson
Marjorie Hart
Loren Jenkins
Lloyd McCormick
John Montayne
Janet Moore
Bob Pavlovich
John Phillips
Paul Rapp-Svrcek

HIGHWAYS

John Harp - Chairman
Hugh Abrams - Vice-Chairman
Bud Campbell
Duane Compton
William Glaser
Raymond Harbin
Ramona Howe
Roland Kennerly
Kerry Keyser
Francis Koehnke
Helen O'Connell
Mary Lou Peterson
Clyde Smith
Carl Zabrocki

HUMAN SERVICES AND AGING

Nancy Keenan - Chairman
Budd Gould - Vice-Chairman
Toni Bergene
Dorothy Bradley
Jan Brown
Bud Campbell
Ben Cohen
Mary Ellen Connelly

Paula Darko
Bob Gilbert
Stella Jean Hansen
Marian Hanson
Marjorie Hart
Harriet Hayne
John Phillips
Bruce Simon
Steve Waldron
Norm Wallin

JUDICIARY

Tom Hannah - Chairman
Dave Brown - Vice-Chairman
Kelly Addy
Toni Bergene
John Cobb
Paula Darko
Ralph Eudaily
Budd Gould
Edward Grady
Joe Hammond
Kerry Keyser
Kurt Krueger
John Mercer
Joan Miles
John Montayne
Jesse O'Hara
Bing Poff
Paul Rapp-Svrcek

LEGISLATIVE ADMINISTRATION

William Menahan - Chairman
Kerry Keyser - Vice-Chairman
Jan Brown
Gene Donaldson
Edward Grady
Carl Zabrocki

LOCAL GOVERNMENT

Paula Darko - Chairman
Norm Wallin - Vice-Chairman
Ray Brandewie
Dave Brown
Harry Fritz
Stella Jean Hansen
Bob Gilbert
Mike Kadas
Les Kitselman
Paul Pistoria
Bing Poff
Walter Sales
Jack Sands
Dean Switzer

NATURAL RESOURCES

Dennis Iverson - Chairman

Mike Kadas - Vice-Chairman
Kelly Addy
Tom Asay
John Cobb
Jerry Driscoll
Rodney Garcia
Edward Grady
John Harp
Tom Jones
Kurt Krueger
Joan Miles
Janet Moore
Jesse O'Hara
Mary Lou Peterson
Bob Raney
Bob Ream
Clyde Smith

RULES

Jack Ramirez - Chairman
Hal Harper - Vice-Chairman
Kelly Addy
Dave Brown
Kerry Keyser
Bob Marks
Joe Quilici
Jack Moore
James Schultz
John Vincent

STATE ADMINISTRATION

Walter Sales - Chairman
Helen O'Connell - Vice-Chairman
Bud Campbell
Duane Compton
Dorothy Cody
Harry Fritz
Rodney Garcia
Harriet Hayne
Raymond Harbin
Gay Holliday
Loren Jenkins
Roland Kennerly
Janet Moore
Richard Nelson
Mary Lou Peterson
John Phillips
Paul Pistoria
Clyde Smith

TAXATION

Gerry Devlin - Chairman
Mel Williams - Vice-Chairman
Hugh Abrams
Tom Asay
Ben Cohen
Orval Ellison

Bob Gilbert
Marian Hanson
Dan Harrington
John Harp
Dennis Iverson
Nancy Keenan
Francis Koehnke
John Patterson
Bob Raney
Bob Ream
Jack Sands
Ted Schye
Dean Switzer
Carl Zabrocki

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 1:30 p.m., January 8, 1985.

Motion carried.

House adjourned at 12:52 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

SECOND LEGISLATIVE DAY

Helena, Montana
January 8, 1985

House Chambers
State Capitol

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/8/85
Correctly printed: HB 1, HR 1.

APPROPRIATIONS (Bardanoue, Chairman): 1/8/85
HB 1, introduced bill, be amended as follows:

1. Page 1, line 18.
Following: "Offices"
Strike: "371,585"
Insert: "374,585"

And, as amended, do pass. Report adopted.

JUDICIARY (Hannah, Chairman): 1/8/85
HB 4, introduced bill, be amended as follows:

1. Title, line 7.
Strike: "PUBLIC RETIREMENT SYSTEMS,"
2. Page 33, line 6.
Following: "than"
Strike: "\$150"
Insert: "\$300"

And, as amended, do pass. Report adopted.

HB 109, do pass. Report adopted.

RULES (Ramirez, Chairman): 1/8/85
HR 1, introduced bill, be amended as follows:

1. Page 4, line 24.
Following: "in a"
Insert: "standing or select"
2. Page 5, line 6.
Following: "Whenever"
Strike: "exactly one-half of the members of a conference committee approve a report"
Insert: "there is a tie vote of the house members of a conference committee to approve the conference committee report"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman): 1/8/85
HB 7, do pass. Report adopted.
HB 78, do pass. Report adopted.
HB 94, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
HB 94

A statement of intent is required for this bill because it transfers rule-making authority to the motor vehicle division of the department of justice from the department of revenue. It is the intent of the legislature that the division continue to administer the reregistration of light vehicles by mail in the same manner that is currently being done. This act merely clarifies the authority for the existing procedure.

Adverse Committee Report

HB 74, do not pass.

MOTIONS

Representative Quilici moved that Harp and Abrams be added as sponsors to HB 19, HB 20, HB 21, HB 22, and HB 23, and that Harp be listed as chief sponsor of HB 22, and that Abrams be listed as chief sponsor of HB 23. Motion carried.

Representative Ramirez moved that the rules be temporarily suspended to allow HR 1 to be placed on second reading this day. Motion carried.

Representative Harper moved that the rules be temporarily suspended to allow HB 1 to be placed on second reading this day. Motion carried.

Representative Ellison moved that Raney be added as a sponsor to HB 81. Motion carried.

Representative Bradley moved that Nathe and Kadas be added as sponsors to HB 69. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 123, introduced by Thoft. Referred to Committee on Appropriations.

HJR 7, introduced by Menahan, Blaylock. Referred to Committee on Legislative Administration.

MOTIONS

Representative Harper moved that the rules be temporarily suspended to allow HB 1, should it pass second reading, to be placed on third reading this day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Pavlovich in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HR 1 - That HR 1 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand,

Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 1 - That HB 1 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: Sales.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Pavlovich moved the adoption of the committee report. Report adopted. (99-0)

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 1 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne,

Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Representative Vincent announced that Democratic and Republican group pictures would be taken on the steps of the rotunda upon adjournment by a photographer from the Highway Department, and that the House would convene at 10:30 a.m. Friday, January 11, for the Governor's State of the State address.

Representative Harper moved that the House adjourn until 1:30 p.m., January 9, 1985.

Motion carried.

House adjourned at 2:13 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

THIRD LEGISLATIVE DAY

Helena, Montana
January 9, 1985

House Chambers
State Capitol

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Sands, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the first and second legislative days, find the same to be correct.

Menahan, Chairman

COMMUNICATIONS AND PETITIONS

The Chief Clerk read the following memo from Diana Dowling, Executive Director of the Legislative Council, regarding confusion about bills being delivered to legislators and the deadline for introduction:

PROPOSED ANNOUNCEMENT

There has been some confusion concerning bills now being delivered to legislators and the deadline for introduction.

According to Joint Rule 6-7, you have until the 14th legislative day (January 22 at 5 p.m.) to introduce any general bill or resolution that is delivered to you before that date. Since it is not humanly possible to get all the bills completed by the 14th day, bills delivered to you after the 14th day will have the day and time of delivery marked on the reverse side of the original bill (on the cover). You have two legislative days thereafter to introduce the bill or resolution.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/8/85

Correctly printed: HB 7, HB 78, HB 109.

Correctly printed: HB 4, HB 94, HJR 7. 1/9/85

Correctly enrolled: HR 1.

Examined by the sponsor (Ramirez) and found to be correct: HR 1.

Signed by the Speaker at 2:35 p.m., 1/9/85: HR 1.

BUSINESS AND LABOR (Pavlovich, Chairman): 1/8/85

HB 20, do pass. Report adopted.

HB 29, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Harp, Chairman): 1/8/85

HB 56, do pass. Report adopted.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Menahan, Chairman): 1/8/85

HJR 7, do pass. Report adopted.

LOCAL GOVERNMENT (Darko, Chairman): 1/8/85

HB 8, do pass. Report adopted.

HB 76, do pass. Report adopted.

HB 77, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman): 1/9/85

HB 3, do pass. Report adopted.

HB 5, do pass. Report adopted.

HB 87, do pass. Report adopted.

Adverse Committee Reports

HB 74, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, -Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: D. Brown, Driscoll, Jones, Montayne, O'Connell.

Total 5

Excused: Sands.

Total 1

Absent or not voting: Manuel.

Total 1

HB 82, do not pass.

TAXATION (Devlin, Chairman):

1/9/85

HB 42, do pass. Report adopted.

MOTIONS

Representative Harper moved that the rules be temporarily suspended to allow HJR 7 to be placed on second reading this day. Motion carried.

Representative D. Brown moved that Williams be added as a sponsor to HB 100. Motion carried.

Representative Schye moved that D. Brown be added as a sponsor to HB 110. Motion carried.

Representative Connelly moved that Lory, McCallum, Pistoria, Kadas, Hansen, Smith, J. Brown, Spaeth, Pinsoneault, and Severson be added as sponsors to HB 106. Motion carried.

Representative Ernst moved that Jenkins be added as a sponsor to HB 92. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 7 - That HB 7 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: J.K. Moore.

Total 1

Excused: Sands.

Total 1

Absent or not voting: None.

Total 0

HB 78 - That HB 78 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Sands.

Total 1

Absent or not voting: Ellerd, O'Connell.

Total 2

HB 109 - That HB 109 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: Koehnke, Peterson, Spaeth, Swift, Thomas.

Total 5

Excused: Sands.

Total 1

Absent or not voting: Grady, Menahan, O'Connell.

Total 3

HJR 7 - That HJR 7, second reading copy, be amended as follows:

1. Page 2, line 18.

Following: "Clerk,"

Insert: "Senate"

Following: "Majority Leader,"

Insert: "Republican Floor Leader, Democratic Floor Leader,"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: Sales.

Total 1

Excused: Sands.

Total 1

Absent or not voting: None.

Total 0

That HJR 7, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Koehnke, Peck, Sales, Spaeth.

Total 4

Excused: Sands.

Total 1

Absent or not voting: None.

Total 0

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (98-0)

MOTIONS

Representative Harper moved that the rules be temporarily suspended to allow HJR 7 to be placed on third reading this day. Motion carried.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HJR 7 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connely, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoht, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Peck, Sales, Spaeth.

Total 3

Excused: Sands.

Total 1

Absent or not voting: Jones.

Total 1

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 124, introduced by Addy, R. Manning. Referred to Committee on Business and Labor.

HB 125, introduced by Peck, Spaeth, Miles, Ernst, Lory. Referred to Committee on Local Government.

HB 126, introduced by Peck, Spaeth, Miles, Lory. Referred to Committee on Highways and Transportation.

HB 127, introduced by Keyser, Gould, (By Request of the Department of Commerce). Referred to Committee on Business and Labor.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 1:30 p.m., January 10, 1985.

Motion carried.

House adjourned at 2:23 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

FOURTH LEGISLATIVE DAY

Helena, Montana
January 10, 1985

House Chambers
State Capitol

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Father Jim Reeves. Pledge of Allegiance to the Flag.

Roll call. All members present except Donaldson, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the third legislative day, find the same to be correct.

Menahan, Chairman

COMMUNICATIONS AND PETITIONS

The Montana Advisory Council on Science and Technology will hold a brief information session for all legislators on its Economic Development Proposal in the Governor's Reception Room, Capitol Building on Monday, January 14, 1985, at 11:00 a.m.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/10/85

Correctly printed: HB 3, HB 5, HB 8, HB 13, HB 14, HB 15, HB 20, HB 29, HB 42, HB 52, HB 56, HB 76, HB 77, HB 87.

Considered correctly engrossed: HB 7, HB 78, HB 109.

BUSINESS AND LABOR (Pavlovich, Chairman): 1/9/85

HB 32, introduced bill, be amended as follows:

1. Title, line 10.

Following: "THROUGH"

Strike: "16-3-214"

Insert: "16-3-213"

2. Page 2.

Following: line 3

Insert: "(5) 'Beer importer' means a person other than a brewer who imports malt beverages."

Renumber: following subsections

3. Page 4, lines 2 through 8.

Strike: subsection (20) in its entirety

Renumber: following subsections

Renumber: internal references

4. Page 4, line 12.

Strike: "located in Montana"

Following: "licensed"

Strike: "beer"

5. Page 4, line 13.

Following: "wholesaler"

Strike: "or table wine distributor"

6. Page 4, line 14.

Following: "beer"

Strike: "or table wine"

7. Page 7, lines 7 through 24.

Strike: section 8 in its entirety
 Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 41, referred to the committee of the whole without recommendation. Report adopted. 1/10/85

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman): 1/9/85

HB 15, do pass. Report adopted.

HUMAN SERVICES AND AGING (Keenan, Chairman): 1/9/85

HB 44, introduced bill, be amended as follows:

1. Page 2, line 8.

Following: "(3),"

Insert: "after determining the financial resources and future ability of the offender to pay restitution as required by 46-18-242,"

2. Page 3, line 21.

Following: "(3),"

Insert: "after determining the financial resources and future ability of the offender to pay restitution as required by 46-18-242,"

And, as amended, do pass. Report adopted.

HB 52, do pass. Report adopted.

Adverse Committee Report

HB 46, do not pass.

STATE ADMINISTRATION (Sales, Chairman): 1/10/85

HB 13, do pass. Report adopted.

HB 14, do pass. Report adopted.

Adverse Committee Report

HB 82, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 88

Noes: Driscoll, Fritz, Garcia, Hansen, Harrington, Hart, Menahan, Montayne, Nisbet, O'Connell, Pavlovich, Ream.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Representative Pavlovich moved that HB 97 be taken from the Committee on Business and Labor and rereferred to the Committee on Judiciary. Motion carried.

Representative Spaeth moved that Stimatz, Story, Kitselman, Schultz, and Hammond be added as sponsors to HJR 2. Motion carried.

Representative Bradley moved that Montayne, Patterson, Connelly, and Pavlovich be added as sponsors to HB 99. Motion carried.

Representative Koehnke moved that Lane, Grady, Zabrocki, Bachini, Peck, Wallin, Bengtson, and Lybeck be added as sponsors to HB 24. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 128, introduced by Kitselman. Referred to Committee on Local Government.

HB 129, introduced by Kitselman. Referred to Committee on Education and Cultural Resources.

HB 130, introduced by Kitselman. Referred to Committee on Taxation.

HB 131, introduced by Holliday, Kitselman, J.K. Moore, Patterson, Phillips, Nathe, Hanson, O'Hara, Glaser, Miller, McCallum, Ernst, Pistoria, Harper, Bachini. Referred to Committee on State Administration.

HB 132, introduced by Waldron. Referred to Committee on Business and Labor.

HB 133, introduced by Waldron. Referred to Committee on Local Government.

HB 134, introduced by Pavlovich, (By Request of the Fire Marshal Bureau). Referred to Committee on State Administration.

HB 135, introduced by Manuel, Schye. Referred to Committee on Local Government.

HB 136, introduced by Ellison, (By Request of the Department of Fish, Wildlife, and Parks). Referred to Committee on Fish and Game.

HB 137, introduced by Driscoll, (By Request of the Department of Labor and Industry). Referred to Committee on Business and Labor.

HB 138, introduced by Lory, (By Request of the Department of Labor and Industry). Referred to Committee on Business and Labor.

HB 139, introduced by Phillips, (By Request of the Department of Fish, Wildlife, and Parks). Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 4 - That HB 4 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly,

Darko, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Asay, Devlin, Hannah, Jones, Nathe, Sales.

Total 6

Excused: Donaldson.

Total 1

Absent or not voting: None.

Total 0

HB 94 - That HB 94, statement of intent, be amended as follows:

1. Statement of intent.

Strike: entire statement of intent

Insert: "This amendment to 61-3-535 transfers rulemaking authority to the division of motor vehicles for the purpose of administering laws relating to light vehicle reregistration by mail. This section currently grants this rulemaking authority to the department of revenue.

The office of the legislative auditor recommended in April 1984, in a performance audit, to request the change of rulemaking authority. The motor vehicle division has been and is currently performing the function described in 61-3-535. It is the intent of this amendment to correct this situation by clearly placing rulemaking authority for light vehicle reregistration by mail with the division of motor vehicles. Rules adopted should implement the procedure currently being used by the division performing reregistration by mail."

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Donaldson.

Total 1

Absent or not voting: None.

Total 0

That HB 94, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Donaldson.

Total 1

Absent or not voting: None.

Total 0

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Harrington moved the adoption of the committee report. Report adopted. (97-1)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 10:30 a.m., January 11, 1985.

Motion carried.

House adjourned at 2:04 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

FIFTH LEGISLATIVE DAY

Helena, Montana
January 11, 1985

House Chambers
State Capitol

House convened at 10:30 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Brown, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the fourth legislative day, find the same to be correct.

Menahan, Chairman

COMMUNICATIONS AND PETITIONS

The Legislative Wives luncheon will be held on Monday, January 14, 1985, at 11:30 a.m. at the Colonial Legislative Room. Please make reservations with Barbara Marks by Friday noon.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):	1/11/85
Correctly printed: HB 41, HB 44.	1/10/85
Correctly printed: HB 32.	1/11/85
Considered correctly engrossed: HB 4.	
Correctly engrossed: HB 94.	

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

- HB 140**, introduced by Asay, Keller. Referred to Committee on Taxation.
- HB 141**, introduced by Manuel, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Human Services and Aging.
- HB 142**, introduced by Manuel, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Human Services and Aging.
- HB 143**, introduced by Bardanouve, (By Request of the Legislative Finance Committee). Referred to Committee on State Administration.
- HB 144**, introduced by Marks, Asay, Donaldson, Lane, Yellowtail, Eudaily, H.W. Hammond, Keyser. Referred to Committee on Education and Cultural Resources.
- HB 145**, introduced by Kitselman. Referred to Committee on Local Government.
- HB 146**, introduced by Lory, (By Request of the Department of Administration). Referred to Committee on State Administration.
- HB 147**, introduced by Lory, (By Request of the Governor's State Building Construction Advisory Council). Referred to Committee on State Administration.
- HB 148**, introduced by Manuel, Ernst. Referred to Committee on Agriculture.
- HB 149**, introduced by Pistoria, Zabrocki, McCormick, O'Connell, Harbin, Harp, Bachini. Referred to Committee on Education and Cultural Resources.

HB 150, introduced by Bergene, Sales, J.K. Moore, Spaeth, Miller, Keyser, Thoft, Keenan, Vincent, Manuel, Addy, (By Request of the Secretary of State). Referred to Committee on State Administration.

HB 151, introduced by Keyser, Switzer, Ernst, Spaeth, Marks, Holliday, Abrams, Asay. Referred to Committee on Taxation.

HB 152, introduced by Peck, Keyser, Mercer. Referred to Committee on Highways and Transportation.

HB 153, introduced by Bradley, Waldron, Miles, Harper, Vincent. Referred to Committee on State Administration.

HB 154, introduced by Pistoria. Referred to Committee on Local Government.

HB 155, introduced by Harper, Grady, Rapp-Svrcek, Miles, Williams, Glaser, Nathe, Bergene, Ellerd, Mercer, Eudaily, Montayne, Darko, Kadas, Krueger, Lory. Referred to Committee on Judiciary.

HB 156, introduced by Raney, Ellison, Darko, Story, Peterson, Mohar. Referred to Committee on Appropriations.

SPECIAL ORDERS OF THE DAY

Representative Harper moved that the Speaker appoint a committee to notify the Honorable Senate that the House is ready to resolve itself into a joint session to receive the Governor's State of the State Address. Motion carried.

The Speaker appointed Representatives Hand, Harp, Bradley, and Nathe, and dismissed them from the chamber.

The Sergeant-at-Arms escorted the elected state officials, members of the Supreme Court, and guests into the chamber.

Senators Bengtson, Brown, and Lybeck entered to notify the House that the Senate was ready to convene in joint session.

Members of the Senate were escorted into the House chamber.

Speaker Vincent introduced Senator Norman, President of the Senate, and yielded the Chair to him.

Senator Van Valkenburg moved that the body resolve itself into a joint session for the purpose of receiving the State of the State Address from His Excellency, the Honorable Ted Schwinden, Governor of the State of Montana. Motion carried.

Senator Van Valkenburg moved that the President be authorized to appoint a committee of four to notify His Excellency, the Governor, that the House and Senate are in joint session and ready to receive him. Motion carried.

President Norman appointed Senators Haffey and Story, and Representatives Donaldson and Howe, and discharged them to escort the Governor to the House chambers.

Captain Revious and the Honor Guard members of the National Guard posted the colors.

Governor Schwinden was escorted to the rostrum by the escort committee.

Father Noonan gave the invocation. The Pledge of Allegiance to the Flag followed.

After being presented to the members of both houses by President Norman, Governor Schwinden delivered the following address:

STATE OF THE STATE MESSAGE
PRESENTED TO THE FORTY-NINTH LEGISLATURE
AND TO THE PEOPLE OF MONTANA
BY
GOVERNOR TED SCHWINDEN
FRIDAY, JANUARY 11, 1985, AT 11 A.M.

Mr. President, Mr. Speaker, members of the Forty-Ninth Legislature, Mr. Chief Justice and Justices of the Supreme Court, elected state officials and people of Montana.

As 1985 begins, Montana straddles two centuries. While 1989 officially marks our state's centennial, in reality our Treasure State has already entered a new era.

Montana's first century was characterized by resource exploitation, by economic dominance from outside sources, by burgeoning government. Our second century must be characterized by responsible economic expansion, rational resource development and controlled government growth.

Two years ago, I described the Build Montana program as "a way to prepare Montana to move ahead." With solid legislative endorsement of Build Montana in 1983, Montana is moving ahead. Build Montana is pointing the state toward a healthier and more diversified economy — an economy, and a political system, controlled by Montanans.

Although our economy is expanding, the Legislature's task remains difficult. Tax indexing and tax reductions have combined to limit the growth of state revenues and of state government.

The people of Montana — and this governor — applaud that trend.

This administration will respect the spending priorities set by the Legislature through the appropriation process. I will insist, however, on protecting the excellent fiscal reputation of this state by maintaining a positive general fund ending balance. The executive budget proposes preemption of the repealed 8¢ federal cigarette tax as a dedicated reserve to achieve that goal.

The crisis in agriculture — from the beet fields of the Yellowstone to the wheat fields of the Hi-Line — grows worse daily. National and international markets for our energy and mineral resources continue to be unstable. Pending federal budget actions, desperately needed to protect our nation's future, will inevitably impact the states. Given the level of economic uncertainty, a reasonable surplus is an imperative as we confront the new challenges of our second century.

While fiscal reality mandates caution, progress demands risk — from public, as well as private, enterprise. "Change" will be the byword of Montana's second century just as "change" will characterize civilization's Twenty-First Century. Montana must be prepared to adapt, now, to the innovations that will inevitably occur in business, labor, government, education, health care and all our major institutions. Bold new ventures may well be limited by scarce public resources. But, as Theodore Roosevelt once advised, "Do what you can ... with what you've got."

In that spirit, I ask the Legislature to favorably consider several recommendations — initiatives that challenge the status quo; proposals that anticipate, and respond to, the competitive world of tomorrow.

The Science and Technology Advisory Council has called for a unique public-private sector alliance to invest in technology research and development. I urge your careful consideration of its innovative proposal, which

would derive a portion of its funding from the coal severance tax trust fund and the remainder from private funding sources. We may not be able to conquer brave new worlds, but we must encourage bright new enterprise.

The Council envisions an exciting public-private partnership — nourished by the spirit of cooperation that has blossomed under Build Montana. To strengthen that partnership, I propose the construction of a Centennial Center on the capitol campus — a Center that will help bridge the distance between Montana's first and second centuries. The Centennial Center would display "Made in Montana" products and function as a visitors' center for tourists. In the spirit of partnership, Burlington Northern, whose own history — and future — is inextricably tied to that of our state, has agreed to contribute \$100,000 for design and planning efforts; the state would appropriate \$25,000. The Centennial Center would permanently reflect our pride in Montana products and Montana history and our confidence in Montana people and Montana's future.

For nearly two decades the coal industry — the revenue it produces, the reclamation it requires — has occupied the center of Montana's economic and political stage. Today, I issue a novel challenge to that industry — a two-year "window of opportunity" to produce new markets. I recommend that the State of Montana hold fast to its current 30 percent coal severance tax on current production and on new contracts already in place. But, on coal marketed to customers beyond that base level, I propose that the State of Montana rebate a portion of severance taxes paid by producers as an incentive to expand coal production — and Montana's tax base. It's time the producers, the haulers and the utilities put up — or shut up!

In the early Seventies as the Commissioner of State Lands, I developed the concept of the Resource Indemnity Trust Fund. I was convinced then — and now — that we should set aside for future Montanans a portion of gross revenues from non-renewable resources. Governor Judge recommended creation of the Resource Indemnity Trust Fund in his 1973 State of the State Address, and Montanans subsequently gave the fund Constitutional status. I propose we use the interest from that Trust Fund to help mitigate damage caused by past resource extraction and to address other problems that current laws do not cover. Nearly \$9 million will be available during the next two years for projects that will demonstrate Montanans' conviction that resource development and a decent environment are compatible. Montana's active participation in the International Joint Commission's deliberation of the Cabin Creek issue in British Columbia is an example of an appropriate project.

Montana's comprehensive water development program, authorized by the 1981 Legislature, is moving forward. The process of adjudicating Montana's water claims is proceeding on schedule. The Legislature and the water courts deserve commendation for establishing a mechanism to assure adequate water supplies for this state's future needs. I hope this Legislature will also determine public policy on the sensitive issue of water marketing.

The carbide lamp, the horse-drawn plow and the crosscut saw have long since been replaced by modern technology. But the basic industries they represent — mining, agriculture, forest products — continue to provide the primary impetus for our economy. Only one resource is more important, and that is our people — their talents and imagination, their enthusiasm and productivity.

It is for people that government exists — it is to people that government must respond. Montanans want a healthy economy, but they want to enjoy its benefits in an environment they can point to with pride. Montanans

have put in place the framework of laws that help assure a quality natural environment. They also recognize that good education and good health care are essential to their quality of life.

Quality inevitably carries a price tag, and in Montana the price tag for public education approaches \$5,000 per student per year! Clearly, our citizens are willing to spend the necessary funds to maintain a quality educational system. To help that process, the executive budget transfers \$7.6 million from the Coal Board to the Foundation Program. The challenge now, with tight public budgets, is to maintain quality while controlling costs. And, with more than \$840 million allocated to public education in the state in Fiscal Year '84, Montanans must be assured that education dollars are well-spent. Excellence in education is not only spending the most money; it's also getting the most for the money spent.

Our Excellence Fund proposal encourages accountability by testing new programs in individual classrooms first, before instituting them statewide. Another accountability tool would be an evaluation of higher education in Montana modeled after the Governor's Council on Management. In 1982, state government benefited from an in-depth private sector evaluation of programs and operations. As a result of the Council's work, state government has saved \$20 million a year while streamlining its operations. I encourage the Board of Regents to consider a similar examination of the University System to determine how best to put Montanans' money to work for higher education.

In 1983, \$906.3 million were spent on health care in Montana — nearly 40 percent on hospital care. Controlling health care costs is a little like the Lilliputians capturing Gulliver — a giant task, but not an impossible one. And, like Gulliver, it must be attacked from several directions.

This month I will create a public-private sector council charged with identifying the components of rising health care costs and recommending solutions. The issue also deserves continuing legislative scrutiny because major decisions relating to health care costs confront this state. Together we must determine whether public policies aggravate those costs.

Education and health care consume an amount equal to 20 percent of Montanans' total personal income. We must examine and re-examine those costs to determine how to maintain, for the average citizen, quality education and quality health care.

As we begin our second century, we Montanans have laid out an ambitious agenda. We wouldn't have it any other way. To the outsider, it may appear that Montanans are asking for the sky. We are not. We believe our goals are realistic and achievable. The indomitable Montana spirit was summed up by a Chicago Tribune reporter last summer who came here to go fishing and received a healthy dose of Montana hospitality in return.

"Montana wants the best of both worlds," he wrote, "more jobs and better business without endangering the mountain wilderness, the clear trout streams, the clean air under the Big Sky. The people here have gambled that they can put this combination together. Ask them if they think they can win the gamble and you are likely to get the reply, 'you betcha.'"

We stand today between two centuries. Fired by imagination and fueled by optimism, Montanans are capable of forging a future that captures the best of both worlds for both present and future generations.

Can we do it? 'You betcha'!

Father O'Donnell gave the benediction, and the Governor was escorted from the chamber by the escort committee.

Senator Van Valkenburg moved that the 49th Legislature authorize the publication of 500 copies of Governor Schwinden's State of the State Address. Motion carried.

Senator Van Valkenburg moved that the joint session of the 49th Legislature be adjourned. Motion carried.

House stood at ease.

House resumed at 12:50 p.m.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Ernst in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 3 - That HB 3 do pass. Motion carried as follows:

Ayes: Abrams, Asay, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: Addy, Bachini, Bardanouve, Gould, Hansen, Kadas, Peck, Ream, Schye.

Total 9

Excused: D. Brown.

Total 1

Absent or not voting: Driscoll.

Total 1

HB 5 - That HB 5 do pass. Representative Manuel made a substitute motion that HB 5 be passed to the bottom of the board. Motion carried.

HB 8 - That HB 8 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: Phillips.

Total 1

HB 13 - That HB 13 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Mercer, Swift, Thomas.

Total 3

Excused: D. Brown.

Total 1

Absent or not voting: O'Connell, Pavlovich, Ramirez.

Total 3

HB 14 - Representative Bardanouve moved that consideration of HB 14 be passed for the day. Motion carried.

HB 15 - That HB 15 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 76

Noes: D. Brown, Cohen, Connelly, Driscoll, Garcia, Hammond, Hansen, Harbin, Harrington, Kadas, Kennerly, Krueger, McCormick, Menahan, Miles, Montayne, Nisbet, O'Connell, Pavlovich, Quilici, Raney, Rapp-Svrcek, Ream, Waldron.

Total 24

Paired: Hannah, Aye; D. Brown, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 20 - That HB 20 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: Harrington, Kadas.

Total 2

HB 29 - That HB 29 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: Bergene, Menahan.

Total 2

HB 41 - Representative Hannah moved that consideration of HB 41 be passed for the day. Motion carried.

HB 42 - That HB 42 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe,

Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: None.

Total 0

HB 52 - That HB 52 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: Eudaily, Gould, Hannah, Iverson, Jones, Keyser, Marks, Mercer, J.K. Moore, Ramirez, Schultz, Swift.

Total 12

Excused: D. Brown.

Total 1

Absent or not voting: None.

Total 0

HB 56 - That HB 56 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: Keenan, Menahan, O'Connell, Sales.

Total 4

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ernst moved the adoption of the committee report. Report adopted. (96-0)

MESSAGES FROM THE OTHER HOUSE

House bill concurred in and returned to the House:

1/10/85

HB 1, introduced by Bardanouve

MOTIONS

Representative Harper moved that the rules be temporarily suspended to allow HB 15 to be placed on third reading this day. Motion carried.

Representative Cohen moved that his vote on HB 52, second reading this day, be recorded as yes. Motion carried.

Representative Hannah moved that HB 41 be taken from second reading and referred to the Committee on Taxation. Motion carried.

Representative Kitselman moved that Bachini and J. Brown be added as sponsors to HB 36. Motion carried.

Representative Bradley moved that Spaeth, Rehberg, Addy, Waldron, and J.K. Moore be added as sponsors to HB 62. Motion carried.

Representative Ramirez moved that Towe, Keenan, Switzer, Crippen, and Schye be added as sponsors to HB 25. Motion carried.

Representative J. Brown moved that Mazurek, Harper, Miles, Krueger, Hansen, Connelly, Montayne, Hand, Garcia, Nisbet, Keenan, Bergene, D. Brown, Christiaens, Quilici, Fuller, Kadas, Moore, Darko, Menahan, Rapp-Svrcek, Poff, Schye, Cody, Cohen, Eck, Lynch, Lane, Yellowtail, Miller, Pistoria, Hart, and Phillips be added as sponsors to HJR 6.

Representative Schye moved that Patterson be added as a sponsor to HB 110. Motion carried.

Representative Nathe moved that E. Smith be added as a sponsor to HB 121. Motion carried.

Representative Waldron moved that Harp, Thoft, Bardanouve, Ramirez, Marks, Bradley, Harper, Manuel, Peck, Bachini, Williams, Lory, Vincent, Keyser, Spaeth, Addy, Ream, Jacobson, Van Valkenburg, Christiaens, Regan, and Bengtson be added as sponsors to HB 45. Motion carried.

Representative Harper moved that HB 14 be taken from second reading and referred to the Committee on Appropriations. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 7 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly,

Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Millay, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: Keenan, Marks.

Total 2

HB 78 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: None.

Total 0

HB 109 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: Spaeth.

Total 1

Excused: D. Brown.

Total 1

Absent or not voting: None.

Total 0

HB 15 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 76

Noes: Cohen, Connelly, Darko, Driscoll, Garcia, Hammond, Hansen, Harbin, Harrington, Jones, Kadas, Kennerly, Krueger, McCormick, Menahan, Miles, Montayne, Nisbet, O'Connell, Pavlovich, Raney, Rapp-Svrcek, Waldron.

Total 23

Excused: D. Brown.

Total 1

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Members of the assembly sang a rousing chorus of 'Happy Birthday' to Republican Leader Bob Marks in honor of the occasion of his 53rd birthday. Birthday cake was served following adjournment.

Representative Harper moved that the House adjourn until 9:00 a.m., January 12, 1985.

Motion carried.

House adjourned at 1:25 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

SIXTH LEGISLATIVE DAY

Helena, Montana
January 12, 1985

House Chambers
State Capitol

House convened at 9:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Brown, Driscoll, Harrington, Howe, Kennerly, Ramirez, Waldron, Winslow, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the fourth and fifth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/11/85

Considered correctly engrossed: HB 3, HB 8, HB 13, HB 20, HB 29, HB 42, HB 52, HB 56.

Correctly enrolled: HB 1.

Signed by the Speaker at 4:33 p.m., 1/11/85: HB 1.

Delivered to the Governor for his approval at 4:45 p.m., 1/11/85: HB 1.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Schultz, Chairman):

1/11/85

HB 60, introduced bill, be amended as follows:

1. Title, line 8.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 3.

Following: line 21

Insert: "NEW SECTION. Section 2. Effective date. This act is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 61, introduced bill, be amended as follows:

1. Title, line 6.

Following: "REQUIREMENTS"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 1.

Following: line 16

Insert: "Section 3. Effective date. This act is effective on passage and approval."

And, as amended, do pass. Report adopted.

APPROPRIATIONS (Bardanoue, Chairman):

1/11/85

HB 123, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "THE"

Insert: "A"

Following: "SUBCOMMITTEE"

Strike: "ON LONG-RANGE"

2. Title, line 7.

Strike: "PLANNING"

3. Page 1, line 23.

Following: "by"

Strike: "the"

Insert: "a"

4. Page 2, line 1.

Following: "~~society~~"

Strike: "on long-range planning"

And, as amended, do pass. Report adopted.

Representative D. Brown present at this time.

Representative Garcia excused at this time.

HUMAN SERVICES AND AGING (Keenan, Chairman):

1/11/85

HB 113, do pass. Report adopted.

HB 119, do pass. Report adopted.

HJR 6, do pass. Report adopted.

Adverse Committee Report

HB 46, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Thoft, Thomas, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 86

Noes: Glaser, O'Hara, Sales, Swift.

Total 4

Excused: Driscoll, Garcia, Harrington, Howe, Kennerly, Ramirez, Waldron, Winslow.

Total 8

Absent or not voting: Kadas, Rapp-Svrcek.

Total 2

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman):

1/11/85

HB 10, do pass. Report adopted.

HB 11, do pass. Report adopted.

HB 100, referred to the committee of the whole without recommendation. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 119

A statement of intent is required for House Bill 119 because it adds authority to adopt rules concerning control of tuberculosis to the current authority of the department of health and environmental sciences in section 50-17-103, MCA, to adopt rules to determine whether tuberculosis exists.

The object of the specific chapter relating to tuberculosis (Title 50, chapter 17, MCA) has always been control of the disease, though the section in that chapter granting the department rulemaking authority only grants DHES the power to set standards for determining the existence of TB. However, since DHES has independent authority to adopt rules for control of any communicable disease (section 50-1-202, MCA), a category including tuberculosis, the department at present has rules in force prescribing TB control measures. Adding authority to Title 50, chapter 17, for DHES to adopt tuberculosis control rules will implement the primary purpose of that chapter and render the rulemaking authority specific to tuberculosis consistent with that granted for control of communicable diseases in general.

Therefore, it is the intent of the legislature that the department of health and environmental sciences has express rulemaking authority to adopt tuberculosis control rules setting standards for effective outpatient, as well as inpatient, treatment of tuberculosis, necessary measures to prevent transmission of the disease to others, and reporting to DHES and/or local health departments.

JUDICIARY (Hannah, Chairman):

1/11/85

HB 106, referred to the committee of the whole without recommendation. Report adopted.

Adverse Committee Reports

HB 50, do not pass.

HB 83, do not pass.

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

January 11, 1985

Dear Mr. Speaker:

Please be informed that I have signed House Bill 1 on this date.

Sincerely,

Ted Schwinden
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 157, introduced by Waldron, Jacobson. Referred to Committee on Judiciary.

HB 158, introduced by Hanson, Holliday, Switzer, Poff, Devlin, (By Request of the Department of Labor and Industry). Referred to Committee on Natural Resources.

HB 159, introduced by Rapp-Svrcek, E. Smith, Lane, Ream, Cobb, Mohar, Yellowtail, Moore, Conover, (By Request of the Department of Fish, Wildlife, and Parks). Referred to Committee on Fish and Game.

HB 160, introduced by Grady, Switzer, Thoft, J. Brown, Campbell, Miles, Marks, Harper, Brandewie. Referred to Committee on Local Government.

HB 161, introduced by Winslow. Referred to Committee on State Administration.

HB 162, introduced by Waldron, (By Request of the State Fire Marshal). Referred to Committee on Business and Labor.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Addy in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 5 - That HB 5, second reading copy, be amended as follows:

1. Page 2, line 8.

Following: "legislators"

Insert: " , upon submittal of an appropriate claim for such mileage reimbursement to the office of legislative council,"

Following: "to"

Insert: " : (a)"

2. Page 2, lines 10 through 12.

Following: "session"

Strike: "upon submittal of an appropriate claim for such mileage reimbursement to the office of legislative council"

3. Page 2, line 10.

Following: "session"

Insert: " ; and, (b) such additional round trips as are authorized by the legislature during special session"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Driscoll, Garcia, Harrington, Howe, Kennerly, Ramirez, Waldron, Winslow.

Total 8

Absent or not voting: Ellison.

Total 1

That HB 5, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Eudaily, Fritz, Glaser, Grady, Hammond, Hand, Hansen, Harbin, Harp, Harper, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schye, Smith, Spaeth, Swift, Thomas, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 72

Noes: Bardanouve, Bergene, Cobb, Ellerd, Ellison, Ernst, Gilbert, Gould, Hannah, Hanson, Kitselman, Koehnke, Miller, J.K. Moore, Patterson, Sales, Schultz, Simon, Switzer, Thoft.

Total 20

Excused: Driscoll, Garcia, Harrington, Howe, Kennerly, Ramirez, Waldron, Winslow.

Total 8

Absent or not voting: None.

Total 0

HB 76 - That HB 76, second reading copy, be amended as follows:

1. Title, line 8.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 4.

Following: line 14

Insert: "NEW SECTION. Section 3. Effective date. This act is effective July 1, 1985."

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Driscoll, Garcia, Harrington, Howe, Kennerly, Ramirez, Waldron, Winslow.

Total 8

Absent or not voting: None.

Total 0

Representative Kennerly present at this time.

That HB 76, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Driscoll, Garcia, Harrington, Howe, Ramirez, Waldron, Winslow.

Total 7

Absent or not voting: None.

Total 0

HB 77 - That HB 77, second reading copy, be amended as follows:

1. Title, line 6.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 4.

Following: line 1

Insert: "NEW SECTION. Section 3. Effective date. This act is effective July 1, 1985."

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Driscoll, Garcia, Harrington, Howe, Ramirez, Waldron, Winslow.

Total 7

Absent or not voting: Sales.

Total 1

That HB 77, as amended, do pass. Representative Pistoria made a substitute motion that consideration of HB 77 be passed for the day. Motion failed. (25-66) Thereupon, HB 77, as amended, passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Ellerd, Eudaily, Fritz, Gilbert, Glaser, Grady, Hammond, Hand, Hansen, Harbin, Harper, Hart, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Mercer, Miles, Montayne, J. Moore, Nisbet, O'Hara, Pavlovich, Peck, Peterson, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Sands, Schultz, Schye, Simon, Smith, Thoft, Thomas, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 66

Noes: Asay, Cobb, Devlin, Donaldson, Ellison, Ernst, Gould, Hannah, Hanson, Hayne, Jones, Keyser, Marks, Miller, J.K. Moore, Nathe, Nelson, Patterson, Phillips, Pistoria, Rehberg, Spaeth, Swift, Switzer.

Total 24

Excused: Driscoll, Garcia, Harrington, Howe, Ramirez, Waldron, Winslow.

Total 7

Absent or not voting: Harp, Menahan, O'Connell.

Total 3

HB 87 - That HB 87 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Driscoll, Garcia, Harrington, Howe, Ramirez, Waldron, Winslow.

Total 7

Absent or not voting: Bergene, Hannah, Menahan.

Total 3

HB 32 - That HB 32 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream,

Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 91

Noes: J.K. Moore.

Total 1

Excused: Driscoll, Garcia, Harrington, Howe, Ramirez, Waldron, Winslow.

Total 7

Absent or not voting: Menahan.

Total 1

HB 44 - That HB 44 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 91

Noes: Krueger, Sales.

Total 2

Excused: Driscoll, Garcia, Harrington, Howe, Ramirez, Waldron, Winslow.

Total 7

Absent or not voting: None.

Total 0

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Addy moved the adoption of the committee report. Report adopted. (93-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 3 passed as follows:

Ayes: Abrams, Addy, Asay, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 86

Noes: Bachini, Bardanouve, Gould, Hart, Kadas, Manuel, Peck.

Total 7

Excused: Driscoll, Garcia, Harrington, Howe, Ramirez, Waldron, Winslow.

Total 7

Absent or not voting: None.

Total 0

HB 4 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 90

Noes: Nathe, Sales.

Total 2

Excused: Driscoll, Garcia, Harrington, Howe, Ramirez, Waldron, Winslow.

Total 7

Absent or not voting: Ellison.

Total 1

HB 13 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Driscoll, Garcia, Harrington, Howe, Ramirez, Waldron, Winslow.

Total 7

Absent or not voting: None.

Total 0

HB 20 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin,

Harp, Harper, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Driscoll, Garcia, Harrington, Howe, Ramirez, Waldron, Winslow.

Total 7

Absent or not voting: Ellison.

Total 1

HB 29 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Driscoll, Garcia, Harrington, Howe, Ramirez, Waldron, Winslow.

Total 7

Absent or not voting: None.

Total 0

HB 52 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 90

Noes: D. Brown, Hannah, Iverson.

Total 3

Excused: Driscoll, Garcia, Harrington, Howe, Ramirez, Waldron, Winslow.

Total 7

Absent or not voting: None.

Total 0

HB 56 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Driscoll, Garcia, Harrington, Howe, Ramirez, Waldron, Winslow.

Total 7

Absent or not voting: None.

Total 0

HB 94 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Driscoll, Garcia, Harrington, Howe, Ramirez, Waldron, Winslow.

Total 7

Absent or not voting: None.

Total 0

MOTIONS

Representative Kitselman moved that his vote on HB 3, third reading today, be recorded as yes. Motion carried.

Representative Gould moved that his vote on HB 3, third reading today, be changed from yes to no. Motion carried.

Representative Bardanouve moved that his vote on HB 3, third reading today, be changed from yes to no. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

The Speaker introduced this week's pages: Kelly Miller, Mike Ellinghouse, Elizabeth O'Halloran, Eileen Pitman, Richard Benjamin, Cynthia Munk, and Mike Van Duym, and thanked them for their services.

Representative Harper moved that the House adjourn until 1:30 p.m., January 14, 1985.

Motion carried.

House adjourned at 10:30 a.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

SEVENTH LEGISLATIVE DAY

Helena, Montana
January 14, 1985

House Chambers
State Capitol

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellerd, Sales, Waldron, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the sixth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/12/85
Correctly printed: HB 10, HB 11, HB 60, HB 61, HB 100, HB 106,
HB 113, HB 119, HB 123, HJR 6.

Considered correctly engrossed: HB 32, HB 44, HB 87. 1/14/85

Correctly engrossed: HB 5, HB 76, HB 77.

JUDICIARY (Hannah, Chairman): 1/14/85

Adverse Committee Reports

HB 50, do not pass. Representative Hannah moved that the adverse committee report on HB 50 be adopted. Representative Kitselman made a substitute motion that HB 50 be printed and placed on second reading. The substitute motion failed. (16-77) Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Bachini, Bardanoue, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Zabrocki.
Total 78

Noes: Asay, Bergene, Connelly, Hannah, Harper, Keller, Kitselman, Nelson, O'Hara, Peck, Peterson, Ramirez, Sands, Schultz, Wallin, Winslow, Mr. Speaker.
Total 17

Excused: Ellerd, Sales, Waldron.
Total 3

Absent or not voting: Thomas, Williams.
Total 2

HB 83, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanoue, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellison, Ernst, Eudaily, Fritz, Garcia,

Gilbert, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 91

Noes: Hannah, Miller.
Total 2

Excused: Ellerd, Sales, Waldron.
Total 3

Absent or not voting: Driscoll, Glaser, Hart, J.K. Moore.
Total 4

TAXATION (Devlin, Chairman):

1/14/85

HB 31, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Senate bills passed and transmitted to the House for concurrence: 1/12/85

SB 12, introduced by Haffey

SB 14, introduced by Kolstad

SB 38, introduced by Mazurek

SB 50, introduced by Brown

SJR 3, introduced by Van Valkenburg, Ramirez, et al.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 163, introduced by Connelly. Referred to Committee on State Administration.

HB 164, introduced by Bradley, Hammond, Krueger. Referred to Committee on Judiciary.

HB 165, introduced by Connelly, Christiaens, Pistoria, Darko, J. Brown. Referred to Committee on Human Services and Aging.

HB 166, introduced by Sands. Referred to Committee on Local Government.

HB 167, introduced by Asay, Hayne, Keller. Referred to Committee on State Administration.

HB 168, introduced by Donaldson, Switzer, Asay, Keller, Ellison, Koehnke, Hayne, Holliday, Neuman. Referred to Committee on Taxation.

HB 169, introduced by Donaldson. Referred to Committee on Human Services and Aging.

HB 170, introduced by Darko, Keenan, Menahan, Lynch, Bergene, Wallin, Switzer, Harper, Kadas, Raney, Hansen, Mohar, Eudaily, Quilici, Schye, Cody, Nisbet, Harbin, Vincent. Referred to Committee on Local Government.

HB 171, introduced by Switzer, Devlin, Marks, Vincent. Referred to Committee on Local Government.

HB 172, introduced by Sands. Referred to Committee on Taxation.

HB 173, introduced by Sands. Referred to Committee on Local Government.

HB 174, introduced by Wallin, Schultz, Simon, Ellerd, Sales, Aklestad, Ellison, Hayne, Lory, Switzer, Darko, Keating, Thomas, E. Smith, Hager. Referred to Committee on Business and Labor.

HB 175, introduced by Kadas. Referred to Committee on Business and Labor.

HB 176, introduced by Bardanouve, (By Request of the Department of Administration). Referred to Committee on State Administration.

HB 177, introduced by Ream, Marks, Harrington, Halligan. Referred to Committee on Taxation.

HB 178, introduced by Ream, Hager, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Natural Resources.

HB 179, introduced by Ream, Hager, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Natural Resources.

HB 180, introduced by Ream, Hager, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Natural Resources.

HB 181, introduced by Ream, Hager, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Judiciary.

HB 182, introduced by Bergene, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Human Services and Aging.

The following Senate bills were introduced, read first time, and referred to committees:

SB 12, introduced by Haffey, (By Request of the Legislative Finance Committee). Referred to Committee on Appropriations.

SB 14, introduced by Kolstad, (By Request of the Legislative Council). Referred to Committee on State Administration.

SB 38, introduced by Mazurek, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Local Government.

SB 50, introduced by B. Brown, (By Request of the Revenue Oversight Committee and the Department of Revenue). Referred to Committee on Local Government.

SJR 3, introduced by Van Valkenburg, Ramirez, Harper, Stephens. Referred to Committee on Rules.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Jones in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Waldron present at this time.

HB 10 - That HB 10 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz,

Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Ellerd, Sales.

Total 2

Absent or not voting: Glaser, Nathe.

Total 2

Representative Zabrocki excused at this time.

HB 11 - That HB 11 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Devlin, Hannah, Keyser, Menahan, Montayne, Pavlovich, Rehberg.

Total 7

Excused: Ellerd, Sales, Zabrocki.

Total 3

Absent or not voting: None.

Total 0

HB 60 - That HB 60 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Ellerd, Sales, Zabrocki.

Total 3

Absent or not voting: None.

Total 0

HB 61 - That HB 61 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Ellerd, Sales, Zabrocki.

Total 3

Absent or not voting: None.

Total 0

HB 100 - Representative Harrington moved that consideration of HB 100 be passed for the day. Motion carried.

HB 106 - That HB 106 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, J. Brown, Cody, Cohen, Compton, Connelly, Darko, Devlin, Ernst, Fritz, Garcia, Gilbert, Glaser, Gould, Hammond, Hand, Hannah, Hansen, Harbin, Harper, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, McCormick, Manuel, Menahan, Mercer, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Peck, Phillips, Pistoria, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Smith, Spaeth, Switzer, Thomas, Waldron, Williams, Winslow, Mr. Speaker.

Total 63

Noes: Asay, Bergene, Brandewie, D. Brown, Campbell, Cobb, Donaldson, Driscoll, Ellison, Eudaily, Grady, Hanson, Harp, Harrington, Hart, Hayne, Keller, Krueger, Lory, Miles, Miller, Montayne, J.K. Moore, Nisbet, Pavlovich, Peterson, Poff, Quilici, Ramirez, Simon, Swift, Thoft, Wallin.

Total 33

Excused: Ellerd, Sales, Zabrocki.

Total 3

Absent or not voting: Marks.

Total 1

HB 113 - That HB 113 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton,

Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Glaser, J.K. Moore, Swift, Switzer.

Total 4

Excused: Ellerd, Sales, Zabrocki.

Total 3

Absent or not voting: None.

Total 0

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Jones moved the adoption of the committee report. Report adopted. (95-0)

MOTIONS

Representative Connelly moved that Cohen, Vincent, and Nelson be added as sponsors to HB 59. Motion carried.

Representative Ramirez moved that Spaeth and Marks be added as sponsors to HB 95. Motion carried.

Representative D. Brown moved that Marks be added as a sponsor to HB 101. Motion carried.

Representative D. Brown moved that J. Brown, Keyser, Hannah, Pinsonneault, Jenkins, Pavlovich, Iverson, and Lynch be added as sponsors to HB 103. Motion carried.

Representative Ream moved that Christiaens, Kadas, Hammond, O'Connell, Smith, Jones, Driscoll, Harrington, Fritz, Hansen, Keenan, Darko, Waldron, Spaeth, Williams, McCormick, Pistoria, J. Brown, Hand, Kennerly, Zabrocki, Quilici, Cohen, Miles, Nisbet, Rapp-Svrcek, Menahan, Harbin, and Moore be added as sponsors to HB 117. Motion carried.

Representative Peck moved that J.K. Moore be added as a sponsor to HB 152. Motion carried.

Representative Raney moved that Holliday, Gould, Kitselman, J.K. Moore, and Patterson be added as sponsors to HB 156. Motion carried.

Representative Harrington moved that HB 100 be taken from second reading and referred to the Committee on Education and Cultural Resources because its amendment is not attached to the bill. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 5 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Connelly, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Ernst, Hannah, Hanson, Kitselman, J.K. Moore, Patterson, Schultz, Thoft.

Total 8

Excused: Ellerd, Sales, Zabrocki.

Total 3

Absent or not voting: Compton, Ellison.

Total 2

HB 8 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Ellison.

Total 1

Excused: Ellerd, Sales, Zabrocki.

Total 3

Absent or not voting: Gilbert.

Total 1

HB 32 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Mr. Speaker.

Total 93

Noes: Gould, Montayne, J. K. Moore.

Total 3

Excused: Ellerd, Sales, Zabrocki.

Total 3

Absent or not voting: Williams.

Total 1

HB 42 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Ellerd, Sales, Zabrocki.

Total 3

Absent or not voting: Spaeth.

Total 1

HB 44 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Krueger, J.K. Moore, Sales.

Total 3

Paired: Spaeth, Aye; Sales, No.

Excused: Ellerd, Zabrocki.

Total 2

Absent or not voting: Driscoll, Menahan.

Total 2

HB 76 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 94

Noes: J.K. Moore, Nathe, Swift.

Total 3

Excused: Ellerd, Sales, Zabrocki.

Total 3

Absent or not voting: None.

Total 0

HB 77 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Asay, Cobb, Donaldson, Hannah, Hayne, Jones, Keyser, Krueger, Marks, Miller, Nelson, Patterson, Phillips, Ramirez, Swift.

Total 15

Excused: Ellerd, Sales, Zabrocki.

Total 3

Absent or not voting: McCormick.

Total 1

HB 87 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Miller.

Total 1

Excused: Ellerd, Sales, Zabrocki.

Total 3

Absent or not voting: Hansen, McCormick.

Total 2

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 1:30 p.m., January 15, 1985.

Motion carried.

House adjourned at 2:55 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

EIGHTH LEGISLATIVE DAY

Helena, Montana
January 15, 1985

House Chambers
State Capitol

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellerd, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the seventh legislative day, find the same to be correct.

Menahan, Chairman

COMMUNICATIONS AND PETITIONS

Tonight the Montana Council of Cooperatives will sponsor a reception including cocktails, buffet, and music beginning at 6:00 p.m. at the Civic Center.

The cocktail/buffet reception sponsored by the Tobacco Institute has been canceled for tomorrow evening and rescheduled for Wednesday, February 6th from 6 to 8:30 p.m. at the Colonial Inn.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/14/85
Correctly printed: HB 31.
Correctly printed: HB 110. 1/15/85
Considered correctly engrossed: HB 10, HB 11, HB 60, HB 61,
HB 106, HB 113.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Schultz, Chairman):
1/14/85

HB 110, do pass. Report adopted.

BUSINESS AND LABOR (Pavlovich, Chairman): 1/15/85
HB 28, introduced bill, be amended as follows:

1. Title, line 7.
Following: "WINE"
Insert: "AND TABLE WINE"

2. Page 3, line 20.
Following: "than"
Strike: "14%"
Insert: "16%"

And, as amended, do pass. Report adopted.

HB 43, introduced bill, be amended as follows:

1. Page 2, line 17.
Strike: ":",
2. Page 2, line 18.
Strike: "(a)"
Following: "information"
Insert: "or computer software"
3. Page 2, line 21.
Strike: "(i)"

Insert: “(a)”

4. Page 2, line 25.

Strike: “(ii)”

Insert: “(b)”

5. Page 3, line 1.

Following: “secrecy”

Strike: “; and”

6. Page 3, line 2.

Strike: “(b) includes computer software”

7. Page 3, line 24.

Following: “damages”

Strike: remainder of line 24 through “(1)” on line 25

And, as amended, do pass. Report adopted.

HB 107, introduced bill, be amended as follows:

1. Page 3, line 15.

Following: “issuance”

Strike: “or renewal”

2. Page 5, line 4.

Following: line 3

Insert: “**NEW SECTION.** Section 6. Extension of authority. Any existing authority of the department of commerce to make rules on the subject of the provisions of this act is extended to the provisions of this act.”

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 124, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman):

1/11/85

HB 100, introduced bill, be amended as follows:

1. Title, line 5.

Following: “OF”

Strike: “AN”

Insert: “ANY FIRST-CLASS OR SECOND-CLASS”

2. Page 1, line 12.

Following: “of”

Strike: “an”

Insert: “any first-class or second-class”

Following: “district”

Insert: “, as defined in 20-6-201,”

3. Page 1, line 25.

Following: line 24

Insert: “(2) The trustees of any third-class elementary district may establish a 5-year old schooling program as provided in subsection (1).”

Renumber: subsequent subsection

And, as amended, referred to the committee of the whole without recommendation. Report adopted.

NATURAL RESOURCES (Iverson, Chairman):

1/14/85

HB 6, introduced bill, be amended as follows:

1. Page 1, lines 8 and 9.

Following: "MCA"

Strike: " , AND SECTION 3, CHAPTER 706, LAWS OF 1983; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE FOR SECTION 2"

2. Page 5, line 25 through page 6, line 3.

Strike: section 2 in its entirety

Renumber: subsequent sections

3. Page 13.

Strike: lines 3 and 4

And, as amended, do pass. Report adopted.

HJR 5, introduced bill, be amended as follows:

1. Title, line 8.

Following: "MISSOURI"

Strike: "RIVER"

Insert: " , YELLOWSTONE, AND BIG HORN RIVERS"

2. Page 2, line 13.

Following: "Yellowstone"

Insert: "below its confluence with the Big Horn"

3. Page 2, line 16.

Following: "of"

Strike: "reservoir management that"

4. Page 2, lines 16 and 17.

Following: "releases"

Strike: "highly fluctuating amounts"

5. Page 3, line 4.

Following: "Yellowstone"

Insert: "below its confluence with the Big Horn"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

1/15/85

HB 117, introduced bill, be amended as follows:

1. Title, line 5.

Following: "BETWEEN"

Strike: "REGULAR"

2. Title, line 7.

Following: "MCA"

Insert: " , AND PROVIDING AN EFFECTIVE DATE"

3. Page 2, line 9.

Strike: "regular"

4. Page 2.

Following: line 12

Insert: "NEW SECTION. Section 3. Effective date. This act is effective July 1, 1985."

And, as amended, do pass. Report adopted.

HJR 2, do pass. Report adopted.

Adverse Committee Report

HB 51, do not pass.

MOTIONS

Representative Sales moved that HB 117 be taken from the Committee on State Administration and be rereferred to the Committee on Appropriations because of its \$120,000 price tag. Motion failed. (36-63)

Representative Koehnke moved that Fritz, Zabrocki, Pistoria, O'Connell, Eudaily, and Harp be added as sponsors to HB 86. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 183, introduced by Ellerd, Vincent, Harper, Spaeth, O'Hara, Kadas, Sands, Keller, M. Williams, Harrington, Connelly, Bradley, Bachini, Koehnke, Glaser, Brandewie, Bergene, Miles, Winslow, Darko, Thomas, Mercer, Ramirez, Marks, Kitselman, Nelson, Ream, Hayne, Peterson, Menahan, O'Connell, Peck, Moore, Hansen, Waldron. Referred to Committee on Human Services and Aging.

HB 184, introduced by Schye, H. Hammond, Phillips, D. Brown, R. Manning, Cody, Harrington, Lynch, Daniels, Haffey, Goodover, Thayer, Norman, Keenan, Zabrocki, McCormick, Nathe, Peck, Raney, Quilici, Pavlovich, Howe, Asay, Holliday, Abrams, Nisbet, Manuel, Bachini, Pistoria, Menahan, Driscoll, Montayne, Hart, Kennerly, Spaeth, Ream, Poff, Devlin, Jones, Conover, Compton, C. Smith, Peterson, Hand, Stephens, Krueger, Addy, Stimatz, Van Valkenburg, Jacobson, McCallum, Christiaens. Referred to Committee on Business and Labor.

HB 185, introduced by Pistoria. Referred to Committee on Highways and Transportation.

HB 186, introduced by Pistoria. Referred to Committee on Local Government.

HB 187, introduced by Harper, Cohen, Eck, B. Brown, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Judiciary.

HB 188, introduced by Harper, Harrington. Referred to Committee on Education and Cultural Resources.

HB 189, introduced by Ream, Hager, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Business and Labor.

HB 190, introduced by Lory, (By Request of the Department of Administration). Referred to Committee on State Administration.

HB 191, introduced by Asay, Hanson, Devlin, McCallum, Patterson, Campbell, Nathe, Swift, Switzer, Manuel, C. Smith. Referred to Committee on Fish and Game.

HB 192, introduced by Asay, Marks, Hayne, Wallin, Lory. Referred to Committee on Education and Cultural Resources.

HB 193, introduced by Nelson. Referred to Committee on Judiciary.

HB 194, introduced by Koehnke, Zabrocki, Darko, Hansen, Campbell, Hanson, Kadas, Ellison. Referred to Committee on Education and Cultural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Driscoll in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 31 - That HB 31 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Ellerd.

Total 1

Absent or not voting: Grady, Manuel.

Total 2

HB 119 - That HB 119 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Ellerd.

Total 1

Absent or not voting: None.

Total 0

HB 123 - That HB 123 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer,

Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: Ernst, Fritz, Miller, Schultz, Thoft.

Total 5

Excused: Ellerd.

Total 1

Absent or not voting: Gould, O'Hara, Waldron.

Total 3

HJR 6 - That HJR 6 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Lory.

Total 1

Excused: Ellerd.

Total 1

Absent or not voting: Hannah.

Total 1

Representative Addy moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Driscoll moved the adoption of the committee report. Report adopted. (97-0)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Vincent reminded the membership that the bill drafting request deadline in the Legislative Council is 5 p.m. Thursday, January 17, 1985.

Speaker Vincent announced that the Coal Tax Advocacy would be available in the old Supreme Court chamber upon adjournment to answer questions and to report its present status.

Representative Harper moved that the House adjourn until 1:30 p.m., January 15, 1985.

Motion carried.

House adjourned at 2:07 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

NINTH LEGISLATIVE DAY

Helena, Montana
January 16, 1985

House Chambers
State Capitol

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Cobb, Ellerd, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the eighth legislative day, find the same to be correct.

Menahan, Chairman

SPECIAL ORDERS OF THE DAY

Speaker Vincent appointed Representatives Quilici and Marks to escort the Honorable Congressman from the Western District, Representative Pat Williams, to the rostrum. After being introduced and welcomed by the Speaker, Congressman Williams delivered the following address:

SPEECH BY CONGRESSMAN PAT WILLIAMS BEFORE THE 49TH MONTANA LEGISLATURE January 16, 1985

We Montanans, we Americans, refer to this nation as the Union. That term connotes more than just the linkage of the fifty states. It signifies our bonds as caring neighbors, compassionate friends. It also refers to the relationship between our various levels of government: local, county, state, and federal.

Our federal constitution sets out, for each elected official, the basic expectations and demands of our people. They want their government to establish justice, provide for the common defense, promote the general welfare, and secure the blessings of liberty throughout the land.

For two centuries now the various levels of government have been sorting out their proper roles. We have identified concerns which can best be met on the local level, matters which require state responsibility, and finally, preserved for the national government are those difficulties common to all of our people and best reserved for federal prescription. Thus we have developed a union, a partnership, between the nation's various levels of government.

Today, on Pennsylvania Avenue, as well as on Main Street across America, that partnership is being questioned and scrutinized. People want to know if the traditional governmental linkages are still working efficiently and effectively. They want to be sure they're getting their money's worth, and they particularly want to review whether the federal government is preserving but not violating its proper authority.

That authority, the federal government's role in our society, has expanded during the past half century. Many, and I include myself among them, believe it is in the best interest of American political vitality to reexamine the federal role.

Many Americans, and I also count myself among them, are convinced that the expanded federal role of the past half century has paid enormous dividends in the progress of our American society:

Fifty years ago only one-fourth of American young people graduated from high school. Today that figure is 80 percent.

Fifty years ago less than half of America's families owned a home. Today almost 70 percent are homeowners.

Fifty years ago if you were old and sick, you were also without pension or health care. Today there's Social Security and Medicare.

During the past half century this nation has literally wrought economic and social miracles. In no small part that progress is due to local, state and federal governments that met the great challenges of the times.

Now this nation is at a political watershed, determining once again the proper authority for our various governments. And you legislators are being required to join in that discussion with your voices and your votes. The President will soon offer a budget which basically redefines the boundaries of federal, state, and local responsibilities. In effect, those budgets require you to either abandon what have been traditional federal commitments or pay for them yourselves.

As a legislative observer, and from my two terms in the state House, I understand that you need to know as soon as possible what those changes are likely to be. While I can't tell you that today—for it is at least two weeks before the President's budget will be formally submitted, and months before a final Congressional budget is adopted—I can share with you information about the most critical changes and how those changes affect this state and thus your decisions during the next three months. And, by the way, we know with considerable specificity what the President's budget contains and also what the Republican leadership in the Senate has tentatively recommended. To date, with the exception of defense, those two budgets are almost identical.

BUILD MONTANA

This Legislature and Montana's Governor understand the importance of building Montana's economy. All of us are especially concerned about the vitality of our 'home grown' small businesses. To that end, the Build Montana Program has been created and funded. One goal of the program is to provide inexpensive loans. In that way, Build Montana mirrors the very similar federal effort administered by the Small Business Administration.

The Build Montana Program provides 23 million very important loan dollars. However, Montana's small businesses receive 350% more than that from the federal Small Business Administration loan program. One can quickly determine that a cut of 30% eliminates the loan benefits of Build Montana. The President doesn't propose to just cut SBA—he proposes killing it.

REVENUE SHARING

The President's budget and the budget being developed by the Senate Republicans would eliminate the general revenue sharing program eight months and two weeks from today. This year Montana's cities and counties will receive \$19 million of revenue sharing funds. If this program is eliminated, I assume the county officials will be coming to this body asking for increases in mill levy allowances and for State dollars to replace the lost funds.

EDUCATION

Historically, the federal government's concern and involvement with education has been limited to assuring the people's access to their schools. The

federal effort has thus been to provide equity in education. The federal involvement has not, except in very limited circumstances, extended to the lifting of the quality of our schools.

Here in Montana, the federal share of education costs has typically been about 10 percent. Four years ago that share fell to about 6 percent. Today it is back to 8 percent. That amounts to a contribution for the current year of more than \$40 million for our state.

Under the Administration's budget proposal, Montana could end up with a loss of about \$6 million in education funds. That's a 14 percent cut.

According to all reports I have heard and read, you will be hard pressed this year to adequately fund the state's education system. Reduction of federal dollars will make your task even more difficult.

IMPACT AID

A close look at the federal Impact Aid which Montanans receive for our schools reveals some chilling prospects.

Assistance to schools located on or near federal lands is of critical importance to us. As you know, that aid compensates for the loss of our tax base due to the federal ownership of 93 million acres of land in this State. For the school district of Great Falls alone the proposed cuts mean a loss of \$33,000.

HEALTH

Along with education, Americans have accepted as a critical public responsibility the effort to do what we can to assure each other's good health. Our federal neighbor is now questioning what obligation it should bear in this effort. What this means to Montana is cuts in services such as the Maternal and Child Health Care Program.

Those services are used by every county in Montana, without exception. A total of one million federal dollars provides the primary or sole support of child immunization in 12 Montana counties, well-child clinics in 23 counties, dental health care in twelve, and child nutrition programs in 8 counties. Eight thousand Montana school children are served by school nurses who are salaried with those dollars. The Administration proposal is to cut this help by one-third. Can the counties make up the difference; will this legislature help? Or is the health of our citizens no longer to be a proper concern for the public?

POVERTY

In this, the richest of all nations, should the poverty of many of our people continue to be a concern? Is its reduction a proper matter for the attention of the federal government? Few, if any, on either side of the aisles—either here or in the Congress—would argue that the egregious effects of poverty should be allowed to continue unchecked.

For a quarter of a century now the federal government has directly and aggressively attacked poverty. Some say the War on Poverty has been lost. They are wrong. Retreat is different than defeat. Previous to the federal anti-poverty effort, 22 percent of the American people lived in poverty. By 1980 that rate was cut in half. Tragically, during the past four years we have lost ground, including here in Montana, where the rate has now climbed to 15 percent from a low of 12 percent in 1980. Our state now receives \$1 million a year for this effort—that compares, by the way, to \$2 million in 1980.

With that \$1 million the Montana Human Resource Development Councils administer \$11.5 million of anti-poverty efforts including Head Start, Low-Income Energy Assistance, and commodity food distribution. For example, the ten Montana Human Resource Development Councils distributed that three and a half million pounds of cheese during the depths of the recent recession. The proposed budget eliminates every dollar of this money. Will those administrative costs be assumed by other state agencies?

JOB CORPS

The budget also eliminates all Job Corps Centers by October of next year, with the Centers in Anaconda and Darby closed by this October. Currently, Job Corps spends more than \$8 million for operations and services in Montana. Their loss could affect more than 600 jobs in Montana communities.

AGRICULTURE

Our state is very dependent upon the economic vitality of our farmers, ranchers and dairy folks. The budget proposes to cut deficiency payments 60 percent next year and 80 percent by 1988.

For the first eleven months of 1984, Montana dairy farmers received approximately \$1 million in dairy price supports. The administration's proposal would phase out the dairy price support program completely.

Our State received \$11 million for soil and water conservation programs. The President's proposal would cut that to \$2 million. The \$65 million we receive under the Farmers Home Administration would be cut in half.

The Cooperative Extension Service, which provides \$2 million in Montana, would be cut by 10 percent.

Last year Montanans suffered \$144 million worth of crop losses which were covered by the Federal Crop Insurance Program. That coverage is scheduled for elimination.

I know, the litany is repetitive. The point, of course, is critical: if the federal government abandons its long commitment to those who work the land, who will assume it? How can lightly populated states with our limited tax bases shoulder that load?

INDIANS

To understand the true picture, we of course can't look only to direct budget items. There are those functions which the federal and state governments share, but then there are also those items which are solely federal in nature and not under the states' jurisdiction. This does not mean, however, that there is not a significant impact on the state.

The Indian reservations are solely a federal obligation and yet a significant amount of money comes to Montana through our seven Indian reservations, and through our Indian citizens living off the reservations.

Can the eight counties on which lie the reservations pick up the \$45 million which serve the health needs of our 34,000 Indian citizens, costs now borne by the Indian Public Health Service—or must the first Americans be the only Americans not eligible for adequate health care?

And can the 14 school districts of the reservations find the \$640,000 in proposed slashes to their schools?

FEDERAL EMPLOYEES

You have probably heard of the proposal to cut 5 percent from the salaries of those Montanans who work for the federal government. In the

Regional Forest Service offices in Missoula alone, this would mean a \$1.5 million loss. For all government employees in Montana, it is a loss of \$10 million in wages.

The loss is not confined to federal employees alone. Those are dollars that are spent on Main Street and on which people pay state taxes; and, by the way, the resultant tax loss to your general fund amounts to half a million dollars.

ELECTRIC AND TELEPHONE COSTS

Those of you who pay electric bills will be interested to know that the Administration's Office of Management and Budget is very seriously considering a proposal to even out all Northwest power rates to the national average. This means that power consumers in Montana served by BPA would receive the largest single power rate increase in the history of this nation—more than 52 percent in the first year.

BPA is not the only place the rate payers of Montana stand to lose. Under the proposed budget, the Rural Electric Cooperatives will lose their preferred borrowing rate immediately and their loan authority would be phased out entirely within the next 10 years.

This means that in Montana, where phone customers per mile is the lowest in the nation, our consumers on Rural Phone systems will be borrowing capital at a rate 250% higher than they pay today and that increase will, of course, be reflected in their phone bills.

MHD

You should know, too, that this year the Administration has prepared a serious all-out effort to kill MHD. The long-term energy course in fossil fuel development was seen at one time to be in the national best interest; its loss would be bad for the nation and would mean a \$9.8 million loss to Butte.

PUBLIC FACILITIES

One of the issues of great importance to Montana is the completion and repair of our public facilities.

Currently, the State of Montana receives 90% of our highway construction monies from the federal government. The highway funds have been under constant pressure by urban states that believe their problems are more severe. Last session, a 67% cut was proposed for Montana's interstate maintenance funds. This would be an \$11 million loss.

The public facilities of prime importance to our local communities are the water and sewer systems. Montana, last year, received \$12 million from the EPA which was used for our local sewer projects. The budget proposes to eliminate all water and sewer grant money. That means the funds necessary to complete the systems in both Great Falls and Billings will be lost.

In an EPA grant, a schedule of completion is mandated even if federal funds are eliminated. There are currently 53 applications pending in Montana. For example, the community of Lakeside has applied for an EPA grant. This split places the charge for use of the system at \$30 per month. The grant is 75% federal and 25% local. If the federal grants are removed then the individual fee could go as high as \$70 per month per household.

You have been very patient. There is more to be said, but perhaps I have already strained the bounds of your generous hospitality.

In conclusion, I want you to know that as a member of the House Budget Committee, I agree with your concern about the critical and dangerous nature of the current raging federal deficit. How it reached these proportions is a matter of political contention, and this is not the appropriate place for me to discuss my personal opinions. The deficit is a reality. And the President working together with us in the Congress must take the prudent steps necessary to significantly move toward balancing the federal budget.

For my part, I'll propose that the House Budget Committee place all federal spending on the table as candidates for cuts. Of course we must prioritize—that is the nature of our responsibility. However, nothing should be held out and that includes both entitlements and defense.

The President has set a three-year deficit reduction goal of \$216 billion. Because he has ruled out both a tax increase and significant reductions in defense, his proposed budget reflects massive cuts in domestic spending. Yes, we will have to cut on the domestic side; however, it is critical to understand that there are enormous savings to be found in the Pentagon. Let me give you an example: If the Congress simply holds defense spending at the inflation rate throughout the next three years, we would accrue the entire \$216 billion in savings from the Pentagon alone.

Finally, I know that you are considering changes in the Montana tax code. You correctly want to encourage economic development. That is also our goal in the Congress. And, like you, the Congress continues to consider reductions in corporate taxes as a way to energize the economy. In 1981, Congress provided corporate America with the largest tax cut in the history of the United States. In four years it has amounted to an increase in the federal deficit and a windfall to the corporations of nearly thirty-five and a half million dollars.

Were the actions successful in encouraging the national economy? Not long after the tax cut was adopted the nation plunged into the most severe recession in fifty years and has only recently shown improvement over the economy of four years ago.

Perhaps it is apropos for me to mention that the tax cut given to the mining industry was particularly preferential. We reduced the mining industry's marginal effective tax rate by more than fifty percent. Four years later we are still waiting here in Montana and across America to see the promised new investment and expansion by the mining industry.

My friends, our work is cut out for us. As has been said by others, we do not shirk from this responsibility, we welcome it. I stand ready to help you whenever I can. Thank you.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):	1/15/85
Correctly printed: HB 100, HB 124, HB 155.	
Correctly printed: HB 6, HB 19, HB 21, HB 28, HB 43, HB 103, HB 107, HB 117, HJR 2, HJR 5.	1/16/85
Considered correctly engrossed: HB 31, HB 119, HB 123, HJR 6.	1/15/85
HIGHWAYS AND TRANSPORTATION (Harp, Chairman):	1/15/85
HB 19, do pass. Report adopted.	
HB 21, do pass. Report adopted.	
JUDICIARY (Hannah, Chairman):	1/15/85
HB 103, introduced bill, be amended as follows:	

1. Title, line 6.

Following: "FOR"

Insert: "INITIAL"

2. Title, line 8.

Following: "YOUTH"

Insert: "12 YEARS OF AGE OR OLDER"

3. Title, line 10.

Strike: "OR"

Insert: ", "

Following: "HOMICIDE"

Strike: "REGARDLESS OF AGE"

Insert: ", ATTEMPTED DELIBERATE HOMICIDE, OR
ATTEMPTED MITIGATED DELIBERATE HOMICIDE"

4. Page 1, line 24.

Following: "any"

Strike: "either"

Insert: "any"

5. Page 2, line 2.

Following: "found;"

Strike: "or"

6. Page 2.

Following: line 4

Insert: "(b) the county in which the youth is alleged to have violated
the law; or"

Reletter: subsequent subsection

7. Page 3, line 1.

Following: "(a)"

Insert: "(i) the youth charged was 12 years of age or more at the
time of the conduct alleged to be unlawful and"

Following: "act"

Strike: "alleged" through "age" on line 2

8. Page 3, line 3.

Following: "45-5-102"

Strike: "or"

Insert: ", "

9. Page 3, line 4.

Following: "45-5-103"

Insert: ", or the attempt, as defined in 45-4-103, of either deliberate
or mitigated deliberate homicide"

10. Page 3, line 5.

Following: "adult;"

Insert: "or"

11. Page 3, line 6.

Strike: "(b)"

Insert: "(ii)"

Reletter: subsequent subsections

12. Page 3, line 23.

Strike: "(1)(a)(i)"

Insert: "(1)(a)(ii)(A)"

Strike: "(1)(a)(ix)"

Insert: "(1)(a)(ii)(I)"

13. Page 4, line 17.

Following: "the court"

Strike: "may"

Insert: "shall"

And, as amended, do pass. Report adopted.

HB 155, do pass. Report adopted.

LOCAL GOVERNMENT (Darko, Chairman):

1/15/85

HB 104, introduced bill, be amended as follows:

1. Title, line 9.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 5.

Following: line 7

Insert: "NEW SECTION. Section 4. Effective date. This act is effective on passage and approval."

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

1/16/85

HB 131, do pass. Report adopted.

HB 134, do pass. Report adopted.

HB 139, do pass. Report adopted.

Representative Cobb present at this time.

Adverse Committee Report

HB 51, do not pass. Representative Sales moved that the adverse committee report on HB 51 be adopted. Representative Winslow made a substitute motion that HB 51 be printed and placed on second reading. Motion failed. (30-69) Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Cobb, Cody, Cohen, Connelly, Darko, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Holliday, Howe, Kadas, Keenan, Keller, Kennerly, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schye, Spaeth, Thoft, Thomas, Waldron, Wallin, Zabrocki, Mr. Speaker.

Total 74

Noes: D. Brown, Campbell, Compton, Devlin, Donaldson, Hannah, Hanson, Hayne, Iverson, Jenkins, Jones, Keyser, Kitselman, Nathe, Peck, Sands, Schultz, Simon, Smith, Swift, Switzer, Winslow.

Total 22

Excused: Ellerd.

Total 1

Absent or not voting: Hart, O'Connell, Williams.

Total 3

TAXATION (Devlin, Chairman):

1/16/85

HB 30, introduced bill, be amended as follows:

1. Page 1, line 15.

Following: "date"

Strike: "or"

Insert: "and"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Senate bills passed and transmitted to the House for concurrence: 1/15/85

SB 7, introduced by Neuman

SB 15, introduced by Kolstad

SB 31, introduced by Himsl

SJR 1, introduced by Mazurek

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 195, introduced by Garcia, (By Request of the Department of Administration). Referred to Committee on Business and Labor.

HB 196, introduced by J. Brown. Referred to Committee on State Administration.

HB 197, introduced by Quilici, Holliday, Campbell, Spaeth, Manuel, Pavlovich. Referred to Committee on State Administration.

HB 198, introduced by Ramirez, B. Brown, Crippen, Williams, Keenan, Switzer, Devlin. Referred to Committee on Taxation.

HB 199, introduced by Ramirez, Crippen, Stephens, Keating. Referred to Committee on Appropriations.

HB 200, introduced by Waldron, (By Request of the Department of Institutions). Referred to Committee on Judiciary.

HB 201, introduced by Ramirez, Crippen, Simon, Rehberg. Referred to Committee on Business and Labor.

HB 202, introduced by Waldron, (By Request of the Department of Institutions). Referred to Committee on Human Services and Aging.

HB 203, introduced by Bardanouve, (By Request of the Office of Budget and Program Planning). Referred to Committee on Appropriations.

HB 204, introduced by Pistoria. Referred to Committee on State Administration.

HB 205, introduced by Peterson. Referred to Committee on Appropriations.

HB 206, introduced by Bardanouve, (By Request of the Office of Budget and Program Planning). Referred to Committee on Appropriations.

HB 207, introduced by Peck, Addy, Miller, J. Hammond, Bachini. Referred to Committee on Judiciary.

HB 208, introduced by Menahan. Referred to Committee on Taxation.

HB 209, introduced by Eudaily, Thomas, Donaldson, Lory, Peck, Ream, J. Hammond. Referred to Committee on Education and Cultural Resources.

HB 210, introduced by Connelly, Nelson, Vincent, Christiaens, Hand, J. Brown, Bradley, Lory. Referred to Committee on Judiciary.

HB 211, introduced by Eudaily, Harrington, Mercer, Peck, Peterson, Menahan, Donaldson, Swift, Thomas, Keenan, Darko, Cobb, Harp, Brandewie, Ellison, Cohen, Hayne, O'Hara, Wallin, Gould, Lory, Haffey, Thoft, Nisbet, (By Request of the Office of Public Instruction and the Board of Public Education). Referred to Committee on Education and Cultural Resources.

HB 212, introduced by Eudaily, Harrington, Mercer, Peck, Peterson, Menahan, Donaldson, Swift, Thomas, Keenan, Darko, Cobb, Brandewie, Harp, Ellison, Cohen, Hayne, O'Hara, Gould, Haffey, Thoft, Lory, Wallin, Nisbet, (By Request of the Office of Public Instruction and the Board of Public Education). Referred to Committee on Education and Cultural Resources.

HB 213, introduced by J. Brown. Referred to Committee on Business and Labor.

HB 214, introduced by Miller, (By Request of the Board of Speech Pathologists and Audiologists). Referred to Committee on Business and Labor.

HB 215, introduced by Miles, Marks, Halligan, Grady, Mazurek. Referred to Committee on Business and Labor.

HB 216, introduced by Moore, (By Request of the Department of Administration). Referred to Committee on State Administration.

HB 217, introduced by Moore, (By Request of the Department of Administration). Referred to Committee on State Administration.

HB 218, introduced by J. Brown, Harper. Referred to Committee on State Administration.

HB 219, introduced by Connelly, Darko, Peterson, Cohen, C. Smith, Jones, J. Hammond, Ream, Pinsoneault, Kadas, Nelson, Brandewie, Fritz, Rapp-Svrcek, Hansen, Mohar. Referred to Committee on Appropriations.

HJR 8, introduced by Kitselman, Patterson, Neuman, Fuller, Hirsch, Connelly, Holliday, Jenkins, Gilbert, Sands, Asay, Nelson, Miller, Devlin, Miles, Keenan, Addy, Harper, Garcia, R. Manning. Referred to Committee on State Administration.

The following Senate bills were introduced, read first time, and referred to committees:

SB 7, introduced by Neuman, (By Request of Interim Joint Subcommittee No. 3). Referred to Committee on Business and Labor.

SB 15, introduced by Kolstad, (By Request of the Code Commissioner). Referred to Committee on Highways and Transportation.

SB 31, introduced by Himsl. Referred to Committee on Local Government.

SJR 1, introduced by Mazurek. Referred to Committee on Human Services and Aging.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Eudaily in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 100 - Representative D. Brown moved that HB 100 do pass. Representative Marks made a substitute motion that consideration of HB 100 be passed for the day. Motion carried. (53-44)

HB 110 - That HB 110 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanoue, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe,

Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Ellerd.
Total 1

Absent or not voting: O'Connell, Sands.
Total 2

HB 124 - That HB 124 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Ellerd.
Total 1

Absent or not voting: Bergene, Harrington, Iverson.
Total 3

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Eudaily moved the adoption of the committee report. Report adopted. (98-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 10 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet,

O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Ellerd.

Total 1

Absent or not voting: Harrington.

Total 1

HB 11 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Hannah, Montayne, Rehberg.

Total 3

Excused: Ellerd.

Total 1

Absent or not voting: Ellison.

Total 1

HB 31 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: Nathe.

Total 1

Excused: Ellerd.

Total 1

Absent or not voting: None.

Total 0

HB 60 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Ellerd.

Total 1

Absent or not voting: None.

Total 0

HB 61 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Ellerd.

Total 1

Absent or not voting: None.

Total 0

HB 106 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellison, Ernst, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe,

Nelson, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 82

Noes: Cobb, Driscoll, Eudaily, Harrington, Hart, Jones, Krueger, Lory, J.K. Moore, Nisbet, Poff, Ramirez, Sales, Schultz, Waldron, Wallin.

Total 16

Excused: Ellerd.

Total 1

Absent or not voting: O'Connell.

Total 1

HB 113 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Glaser, Nathe, Sales, Swift, Switzer.

Total 5

Excused: Ellerd.

Total 1

Absent or not voting: Ramirez.

Total 1

HB 119 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Ellerd.

Total 1

Absent or not voting: Ellison.

Total 1

HB 123 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Driscoll, Fritz, Pavlovich, Zabrocki.

Total 4

Excused: Ellerd.

Total 1

Absent or not voting: None.

Total 0

HJR 6 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Lory.

Total 1

Excused: Ellerd.

Total 1

Absent or not voting: Hannah, Harrington.

Total 2

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 10:30 a.m., January 17, 1985.

Motion carried.

House adjourned at 3:00 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

TENTH LEGISLATIVE DAY

Helena, Montana
January 17, 1985

House Chambers
State Capitol

House convened at 10:30 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain, Father Reeves. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellerd, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the ninth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/16/85
Correctly printed: HB 30, HB 104, HB 131, HB 134, HB 139.
Correctly printed: HB 116, HB 141, HB 142. 1/17/85
Considered correctly engrossed: HB 110, HB 124. 1/16/85
Correctly enrolled: HB 15, HJR 7. 1/17/85
Examined by the sponsor (Menahan) and found to be correct: HJR 7.
Examined by the sponsor (Williams) and found to be correct: HB 15.
Signed by the Speaker at 2:30 p.m., 1/17/85: HB 15, HJR 7.
Delivered to the Governor for his approval at 2:55 p.m., 1/17/85: HB 15.

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman):
1/16/85

HB 80, introduced bill, be amended as follows:

1. Page 6, lines 24 and 25.

Strike: subsection (5) in its entirety

Renumber: subsequent subsections

2. Page 9, line 1.

Strike: “.”

Insert: “;”

3. Page 9, line 7.

Following: line 6

Insert: “(15) adopt a seal bearing on its face the words “Montana university system”, which must be affixed to all diplomas and all other papers, instruments, or documents which may require it.”

And, as amended, do pass. Report adopted.

HB 99, introduced bill, be amended as follows:

1. Title, lines 6 and 7.

Following: “ENGINEER-IN-TRAINING;”

Strike: remainder of line 6 through “AND” on line 7

Following: “MCA” on line 7

Insert: “; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE”

2. Page 1, line 17.

Following: “standing,”

Insert: “, approved by the board as being of satisfactory standing,”

3. Page 2.

Following: line 11

Insert: "NEW SECTION. Section 3. Effective date. This act is effective on passage and approval."

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Keenan, Chairman):

1/16/85

HB 116, do pass. Report adopted.

HB 141, do pass. Report adopted.

HB 142, do pass. Report adopted.

Adverse Committee Report

HB 49, do not pass.

JUDICIARY (Hannah, Chairman):

1/17/85

HB 88, introduced bill, be amended as follows:

1. Title, line 8.

Following: "ASSISTANCE" on line 8

Strike: "AND" through "ENTITY" on line 9

2. Page 1, line 22.

Following: "entity"

Strike: " "

Insert: "and"

Following: "authority"

Strike: "and supervision"

3. Page 1, line 23.

Strike: ", and" through "assisting" on line 25

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

1/17/85

HB 70, introduced bill, be amended as follows:

1. Title, lines 4 through 7.

Strike: "PROVIDING" on line 4 through "IRRIGATION" on line 7

Insert: "GENERALLY REVISING THE RENTAL REQUIREMENTS FOR STATE AGRICULTURAL LEASES; AUTHORIZING REDUCTION OF CROP SHARE FOR HIGH PRODUCTION COST METHODS; AUTHORIZING ALTERNATIVE RENTAL METHODS WHEN IN THE BEST INTERESTS OF THE STATE"

2. Title, line 7.

Strike: "SECTIONS"

Insert: "SECTION"

3. Title, lines 7 and 8.

Following: "77-6-501" on line 7

Strike: "AND 77-6-502"

4. Page 1, lines 12 and 13.

Following: "leases" on line 12

Strike: "—" through "methods" on line 13

5. Page 1, line 20.

Following: "beets"

Insert: "or for high production cost methods when these methods would result in more income to the state"

6. Page 1, line 22.

Following: "(2)"

Strike: "In unusual cases"

Insert: "If it is in the best interests of the state,"

7. Page 1, line 23.

Following: "these"

Strike: "unusual"

8. Page 1, line 25.

Following: "district"

Insert: "under similar circumstances"

9. Page 2, line 1.

Following: "records the"

Strike: "unusual"

10. Page 2, lines 3 through 18.

Strike: subsection (3) and section 2 in their entirety

Insert: "NEW SECTION. Section 2. Extension of authority. Any existing authority of the board of land commissioners or department of state lands to make rules on the subject of the provisions of this act is extended to the provisions of this act."

And, as amended, do pass. Report adopted.

HB 98, introduced bill, be amended as follows:

1. Title, lines 4 and 5.

Following: "TO" on line 4

Strike: "REMOVE" through "LIMITATION ON" on line 5

Insert: "PERMIT A PRESIDENT OF A UNIVERSITY UNIT TO ASSESS"

2. Title, line 5.

Strike: "ASSESSED"

3. Title, lines 5 and 6.

Following: "PARKING ON" on line 5

Strike: "CAMPUSES" through "SYSTEM" on line 6

Insert: "CAMPUS SUBJECT TO THE APPROVAL OF THE BOARD OF REGENTS AFTER THE REGENTS' CONSULTATION WITH THE RESPECTIVE STUDENT GOVERNING BODY"

4. Page 1, line 14.

Following: "campus"

Insert: "subject to the approval of the regents after the regents' consultation with the respective student governing body of the unit"

And, as amended, do pass. Report adopted.

TAXATION (Devlin, Chairman):

1/17/85

HB 25, introduced bill, be amended as follows:

1. Page 2, line 4.

Following: "used"

Insert: "primarily"

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 62, do not pass.

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

1/16/85

HB 15, introduced by M. Williams

HJR 7, introduced by Menahan, Blaylock

MOTIONS

Representative Winslow moved that the House reconsider its action in adopting the adverse committee report on HB 51. Motion withdrawn.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 220, introduced by Donaldson, Boylan, Wallin, Vincent, Bradley, Ellerd, Conover, Bengtson, Lane. Referred to Committee on Appropriations.

HB 221, introduced by Garcia, Ramirez, J. Hammond. Referred to Committee on Business and Labor.

HB 222, introduced by Nelson. Referred to Committee on Judiciary.

HB 223, introduced by Ramirez, Garcia. Referred to Committee on Business and Labor.

HB 224, introduced by Asay, Goodover, Quilici, Harp, D. Brown, Menahan, C. Smith, Jones. Referred to Committee on Appropriations.

HB 225, introduced by Menahan, Harp, Raney, Harbin, Pavlovich, Darko, Keenan, Donaldson, Abrams, D. Brown, J.K. Moore, Krueger, C. Smith, Jones, Devlin. Referred to Committee on Highways and Transportation.

HB 226, introduced by Sales. Referred to Committee on Business and Labor.

HB 227, introduced by Winslow, Schultz, Simon, J.K. Moore, Ellison, Pavlovich, Eck, Rehberg, Regan, Keyser, Phillips, Miller, Donaldson, Nathe, Swift, Christiaens, Bardanouve, Thomas, Harp, Kitselman, Bergene, Keenan, Menahan, Waldron, Iverson, Hannah, Thoft, Devlin, Switzer, Kolstad, Jenkins, Ramirez, Compton, Nelson, Gilbert, Gould, Harper, Ellerd, Quilici, Addy, O'Connell, Stephens, Schye, J. Brown, Hand, Krueger, Jones, C. Smith, Lory, B. Brown, Brandewie, Patterson, Eudaily, H. Hammond, Hager, Crippen. Referred to Committee on State Administration.

HB 228, introduced by Winslow, Christiaens, R. Manning, Fritz, Regan, O'Hara, H. Hammond, J.K. Moore, Bergene, Brandewie, Schultz, Cobb, Harp, Schye, J. Brown, Miles, D. Brown, Keenan, Quilici, Neuman, Menahan, Hager, B. Brown, Hart. Referred to Committee on Human Services and Aging.

HB 229, introduced by Swift, Thoft, Hanson, Thomas, Jones, Devlin. Referred to Committee on Taxation.

HB 230, introduced by Swift, Thoft, Thomas, Phillips, Jones, Sands, Devlin, Severson. Referred to Committee on Highways and Transportation.

HB 231, introduced by Swift, J.K. Moore, Thoft, Nathe, Sales, Thomas, Jones, Severson, Iverson, Phillips. Referred to Committee on Taxation.

HB 232, introduced by Bardanouve. Referred to Committee on Local Government.

HB 233, introduced by Grady, Hanson, Campbell, Holliday, Asay, Keller, Donaldson, Brandewie, Hayne, Marks, Thoft, Jenkins, Switzer, Iverson. Referred to Committee on Business and Labor.

HB 234, introduced by Driscoll. Referred to Committee on Business and Labor.

- HB 235**, introduced by Peck, H. Hammond, Bergene, Miles, Stephens. Referred to Committee on Human Services and Aging.
- HB 236**, introduced by Pavlovich, Driscoll, Harp, Zabrocki, J.K. Moore, Lynch, Jacobson, Stimatz, Daniels, Haffey, Boylan, Galt, Tveit, Nisbet, D. Brown, Krueger, Jones, C. Smith, Keenan, Harrington, R. Manning, O'Connell, Gould, Menahan, Quilici, Holliday, Koehnke, Bradley, Marks. Referred to Committee on Business and Labor.
- HB 237**, introduced by Addy, (By Request of the Department of Labor and Industry). Referred to Committee on Business and Labor.
- HB 238**, introduced by Connelly, Peck, Bachini, McCormick, (By Request of the Department of Justice, Motor Vehicle Division). Referred to Committee on Highways and Transportation.
- HB 239**, introduced by Wallin, Darko, Bergene, Eudaily, Harper, Lory, Cohen, Nelson, Bradley, J. Brown, Miller, Rehberg. Referred to Committee on Local Government.
- HB 240**, introduced by Ramirez, Crippen, B. Brown, (By Request of the Revenue Oversight Committee). Referred to Committee on Taxation.
- HB 241**, introduced by Kadas, Eck, Halligan, Norman, Ream, Bradley, Rapp-Svrcek. Referred to Committee on Taxation.
- HB 242**, introduced by Connelly, Mohar, Harrington, Vincent, Williams, Christiaens, Ream, J. Hammond, Kadas, Howe, Kennerly, Fritz, Harper, Darko, Harbin, Pavlovich, Hansen, J. Brown, Brandewie, Harp, Raney. Referred to Committee on Education and Cultural Resources.
- HB 500**, introduced by Bardanoue, (By Request of the Office of Budget and Program Planning). Referred to Committee on Appropriations.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 110 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanoue, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Ellerd.

Total 1

Absent or not voting: O'Connell.

Total 1

HB 124 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanoue, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton,

Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Ellerd.

Total 1

Absent or not voting: None.

Total 0

SPECIAL ORDERS OF THE DAY

Representative Harper moved that the Speaker appoint a committee to notify the Honorable Senate that the House is ready to meet with them in joint session to receive the State of the Law address from the Supreme Court of the State of Montana.

The Speaker appointed Representatives Hansen, C. Smith, D. Brown, and Glaser and dismissed them from the chamber.

The elected officials were escorted to the chamber by the Sergeant-at-arms, who then announced that a committee from the Senate was waiting.

Senators Jacobson, Williams, and Thayer entered to announce that the Senate was ready to meet in joint session.

The House committee returned, reported that they had discharged their duty, and were seated.

The Sergeant-at-arms escorted the members of the Senate into the chamber. Speaker Vincent introduced Senate President Norman and yielded him the gavel.

Senator Van Valkenburg moved that the body resolve itself into a joint session for the purpose of receiving the State of the Law address from Chief Justice Turnage. Motion carried.

Senator Van Valkenburg moved that the President appoint a committee to inform the Supreme Court that the legislature is in joint session and ready to receive them. Motion carried.

The President appointed Senators Halligan and Keating, and Representatives Mercer and Connelly, who escorted the Justices into the chamber.

Pastor Monson gave the invocation.

President Norman introduced the Associate Justices: the Honorable John C. Harrison, the Honorable L.C. Gulbrandson, the Honorable William Hunt, the Honorable John C. Sheehy, the Honorable Frank Morrison, the Honorable Fred L. Weber; and then introduced the Chief Justice of the

Montana Supreme Court, the Honorable Jean Turnage who gave the following address:

THE STATE OF THE JUDICIARY
by Honorable Jean A. Turnage
Chief Justice, Montana Supreme Court

President of the Senate Norman, Speaker of the House of Representatives Vincent, Senators and Representatives.

The Montana Supreme Court appreciates this opportunity to report to you matters of importance to the citizens of Montana concerning their judicial system. This report will be in summary form from the perspective of the Chief Justice. As you know, former Chief Justice Frank I. Haswell retired from the court as of January 7th of this year after many years of service to the citizens of Montana in their judicial system. The court and Montana will miss Frank's leadership and experience. As your new Chief Justice, I promise that I will endeavor to fulfill the duties of this office to the utmost of my ability.

Since the last "State of the Judiciary" report to this body, 1028 cases have been filed with the Montana Supreme Court, a 3 percent increase over the previous biennium. That increase, though modest, reflects a trend that in the last eight years has seen an average 4.5 percent increase per year. The exact cause of this trend is unknown but human relationships have become far more complex in recent years and partly as a result, partly as a cause, we are more and more inclined to resolve disputes within these relationships in a more formal manner, that is, in the courts.

There are 209 files where notices of appeal or other applications are pending in the office of Ethel Harrison, Clerk of the Supreme Court. These cases are not in a condition for decision by the court but are waiting for filing of transcripts of the record on appeal and briefing by the litigants' attorneys. It, therefore, is readily apparent that a massive amount of work for the court is imminent as the year begins, and, of course, we can anticipate that there will be many more cases filed as the year progresses.

More detailed information is available at your request from the Office of the Court Administrator, Mr. Michael Abley.

The Montana Supreme Court, until recently, has felt itself capable of handling the growing caseload, annually concluding the approximate number of cases filed. However, it has become apparent that we are now beginning to lose ground. The court wrote 370 opinions this year, exceeding the previous record number by 50. Even so, that number plus other forms of conclusions did not quite equal the number of cases filed, and the same can be said of the two previous years as well. We believe this is indicative of the future and that regardless of our efforts, we will slowly fall further and further behind. This leaves us faced with a choice of limiting in some way the number of appeals filed; accepting longer and longer delays in the final resolution of these matters; or making changes in the way cases are handled. The citizens of this state are entitled to their day in court and are just as entitled to having their cases handled expeditiously.

Article VII, section 2, of the Montana Constitution provides that the Supreme Court has appellate jurisdiction and may issue, hear and determine writs appropriate thereto. The court may, and on occasion does, dismiss appeals and other applications that are clearly frivolous and which present no substantial question which is not clearly covered by statute or precedent. (However, this authority of the court must always be exercised with care to assure that no citizen will ever be denied justice in our courts.)

If the court did not possess this authority, frivolous appeals and applications presenting no substantial issues would flood the court docket causing delay in the determination of cases that are of great importance to the public and private sectors of our state.

Delay at all levels is the greatest problem facing our judicial system.

Delay in the judicial process is costly to our citizens. Delay in the public sector means more costs to the Montana taxpayer, delay in the private sector means more costs to private citizen litigants. There is another inevitable cost involved in delay, the human factor: any citizen involved as a litigant in a lawsuit has his or her life clouded. Undue delay ever increases this burden which cannot be measured in dollars.

There is much routine work in the court that takes valuable and irreplaceable hours of the Justices' productive time, time that should be devoted to deciding cases before the court, cases that present serious questions of great importance to the citizens of Montana in both the civil and criminal fields.

In an effort to address this problem, our plan is to delegate more routine work to the court's professional staff, and more of their routine work to the clerical staff. To implement the plan, we have requested one additional professional position and three clerical positions. We are well aware that a request for additional staff in these hard times is not a popular action, but the court feels that, considering the alternative, it is justified. We will be presenting more information with regard to our plan and the request in the budget hearings.

The State Law Library, under the direction of Judy Meadows, our new librarian, who I urge you all to become acquainted with, is working on new ideas to extend access to its collection, services and programs for more judges, agencies, public libraries and the citizens of the State of Montana. The staff is actively promoting the library's subscriptions to legal and business databases for computerized research. State agencies have been encouraged to work with the library when they conduct law-related seminars and training programs. Operating hours have been increased by one-third during the legislative session in order to accommodate the needs of the legislators and the Legislative Council.

The library now holds over 70,000 volumes, plus audio and video cassettes which are an important component of the acquisition program that enhances the library's support of the continuing legal education needs of Montana's bench and bar.

In the district courts, substantial changes have taken place since this body last met. The 48th Legislature realigned many of the judicial districts, created another, and increased the number of judges by four. The changes went into effect the first of this year and should significantly reduce the number of cases each judge must handle as well as the number of miles traveled. By the next legislative session, we should be able to report to you the impact on pending caseloads and average times for conclusions.

Criminal jury instructions, which in his last "State of the Judiciary", then Chief Justice Haswell reported were being reviewed have been revised and adopted as have the rules of civil procedure. The rules of appellate civil procedure have also been revised and are now in the process of finalization.

During the last session of the legislature, Senate Joint Resolution 24 was passed requesting the court to study venue and statutes of limitation. The Supreme Court Commission on Rules of Evidence, chaired by Attorney

Sam E. Haddon of Missoula, submitted proposed legislation on venue, and I understand that this legislation has or will be introduced this session by Senator Joseph P. Mazurek. The Commission reported that the work on statutes of limitation has not been completed.

In the previous biennium, the court mandated continuing legal education for attorneys and has now done so for members of the judiciary. The new rules cover the justices and judges of the Supreme Court and the District Court, mandatory training having already been established by legislative action for the lower courts.

Chaired by Justice Haswell, a committee sponsored by the state bar and made up of attorneys and members of the news media drew up fair trial/free press guidelines. The guidelines are voluntary but if followed, should ensure both the defendant's rights to a fair trial and the public's right to know.

One of the important parts of our judiciary is the Montana Water Court. This court was created by the legislature to generally adjudicate all our existing water, and under Judge Lessley the court is doing what you asked them to - "expedite and facilitate the adjudication of existing water rights."

The record of this court is impressive. Even as I speak with you, they have adjudicated over 30 basins. Of this number, four are presently finally adjudicated with three more basins to be finalized by the end of January.

A total number of water claims adjudicated is over 60,880 claims. We estimate that they will finish the job in five to six years from now, and for the first time in the history of Montana, we will have a judicial record of all the water before 1973.

We must see that this court is supported and its task is finished.

In the courts of limited jurisdiction we are continuing our training efforts. During this biennium, the approximately 180 justices of the peace, municipal judges and city judges attended a DUI traffic law adjudication program; a seminar devoted to review of the 1983 session laws and update of the lower court benchbook; a course on evidence; and a course on misdemeanor drug and traffic cases.

The Commission on Courts of Limited Jurisdiction continued to assist in the provision of this training as well as providing technical assistance to the lower courts. The commission also conducted an extensive survey of those courts which included caseloads, support staff, facilities, costs, and revenues generated and the commission revised the lower court bail bond schedule.

In conclusion, I believe it appropriate to restate what John Marshall said in a speech before the Virginia Constitutional Convention in June 1788 on the importance of the judiciary. Marshall stated: "What is the service or purpose of a judiciary but to execute the laws in a peaceable, orderly manner, without shedding blood or availing ourselves of force. To what other quarter will our citizens look for protection from infringement on the Constitution?"

Montana's judicial system is the quarter where our citizens can look for protection from infringement from any source, public or private, of their Constitution and their laws. It is only proper that the duty and burden of those that serve Montana in the judiciary is to see that force must give way to reason and power to justice.

Thank you.

Father Reeves gave the benediction.

The Justices were escorted from the House chamber by the escort committee.

Senator Van Valkenburg moved that the joint session be adjourned. Motion carried.

House resumed. Mr. Speaker in the Chair.

MOTIONS

Representative D. Brown moved that consideration of HB 100 be postponed until the 13th legislative day. Motion carried.

Representative Quilici moved that consideration of HB 19 be postponed until the 16th legislative day. Motion carried.

Representative Sales moved that consideration of HB 131 be passed for the day for correction of the fiscal note. Motion carried.

Representative Hannah moved that HB 53 be taken from the Committee on Judiciary and rereferred to the Committee on Local Government. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Peck in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Abrams excused at this time.

HB 6 - That HB 6 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 97

Noes: None.

Total 0

Excused: Abrams, Ellerd.

Total 2

Absent or not voting: Peck.

Total 1

HB 21 - That HB 21 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly,

Darko, Devlin, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Abrams, Ellerd.

Total 2

Absent or not voting: Donaldson, Harrington, Marks, Peck.

Total 4

HB 28 - That HB 28 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Abrams, Ellerd.

Total 2

Absent or not voting: Donaldson, Jenkins, McCormick, Marks.

Total 4

HB 30 - Representative Williams moved that HB 30 do pass. Representative Pistoria made a substitute motion that consideration of HB 30 be passed for the day. Motion carried.

HB 43 - Representative Harper moved that HB 43 do pass. Representative Ramirez made a substitute motion that HB 43 be passed to the bottom of the board. Motion carried.

HB 103 - That HB 103, second reading copy, be amended as follows:

1. Title, line 11.

Following: "OF"

Insert: "SEXUAL INTERCOURSE WITHOUT CONSENT,"

2. Page 3, line 9.

Following: "constitute"

Insert: "sexual intercourse without consent as defined in 45-5-503,"

3. Page 3, line 10.

Following: “,”

Insert: “or”

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Devlin, Donaldson, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Hand, Hannah, Hansen, Hanson, Harp, Harper, Hart, Hayne, Iverson, Jenkins, Kadas, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 71

Noes: Addy, Bergene, Bradley, D. Brown, Darko, Driscoll, Glaser, Grady, Hammond, Harbin, Harrington, Holliday, Howe, Jones, Keenan, Kennerly, Keyser, Krueger, Miles, Montayne, J.K. Moore, Pavlovich, Quilici, Schye, Smith, Spaeth, Zabrocki.

Total 27

Excused: Abrams, Ellerd.

Total 2

Absent or not voting: None.

Total 0

That HB 103, as amended, do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Abrams, Ellerd.

Total 2

Absent or not voting: Bergene.

Total 1

HB 104 - That HB 104 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks,

Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Ellerd.

Total 1

Absent or not voting: None.

Total 0

Representative Abrams present at this time.

HB 107 - That HB 107 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Fritz, Hannah, Keyser, Sales.

Total 4

Excused: Ellerd.

Total 1

Absent or not voting: None.

Total 0

HB 117 - That HB 117, second reading copy, be amended as follows:

1. Page 2, line 16.

Following: "entitled"

Insert: "up"

2. Page 2, line 18.

Following: "duties"

Insert: "upon submission of a verified accounting showing the date, amount, and purpose of the expenditure"

Representative D. Brown moved that the amendment be divided.
Motion carried. Chairman Peck ruled the motion out of order as the amendment could not be divided. Thereupon, the amendment passed as follows:

Ayes: Asay, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne,

Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Lory, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Peck, Peterson, Ramirez, Rehberg, Sales, Schultz, Simon, Smith, Swift, Switzer, Thomas, Waldron, Winslow.

Total 51

Noes: Addy, Bachini, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Krueger, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sands, Schye, Spaeth, Thoft, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 47

Excused: Ellerd.

Total 1

Absent or not voting: Abrams.

Total 1

That HB 117, second reading copy, be further amended as follows:

1. Page 2, line 18.

Following: "duties."

Insert: "No reimbursement shall be made for the months of April through November of a general election year."

Amendment passed as follows:

Ayes: Addy, Asay, Bradley, Brandewie, Campbell, Cobb, Compton, Connelly, Devlin, Donaldson, Ellison, Ernst, Gilbert, Glaser, Gould, Hannah, Hanson, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Keyser, Kitselman, Koehnke, Marks, Mercer, Miles, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peck, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 55

Noes: Abrams, Bachini, Bardanouve, Bergene, D. Brown, J. Brown, Cody, Cohen, Darko, Driscoll, Eudaily, Fritz, Garcia, Grady, Hammond, Hand, Hansen, Harbin, Harp, Harrington, Hart, Howe, Kadas, Kennerly, Krueger, Lory, McCormick, Manuel, Menahan, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Waldron, Williams, Zabrocki.

Total 44

Excused: Ellerd.

Total 1

Absent or not voting: None.

Total 0

That HB 117, as amended, do pass. Motion failed as follows:

Ayes: Abrams, Bergene, D. Brown, J. Brown, Cohen, Darko, Driscoll, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Howe, Kadas, Keenan, Kennerly, Krueger, McCormick, Menahan, Miles, J. Moore, Nisbet, O'Connell, Pistoria, Poff, Quilici, Rapp-Svrcek, Ream, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 37

Noes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, Campbell, Cobb, Cody, Compton, Connelly, Devlin, Donaldson, Ellerd, Ellison, Ernst,

Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Mercer, Miller, Montayne, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 63

Paired: Quilici, Aye; Ellerd, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

That HB 117, as amended, do not pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, Campbell, Cobb, Cody, Compton, Connelly, Devlin, Donaldson, Ellerd, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Mercer, Miller, Montayne, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 62

Noes: Abrams, Bergene, D. Brown, J. Brown, Cohen, Darko, Driscoll, Fritz, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Howe, Kadas, Keenan, Kennerly, Krueger, McCormick, Menahan, Miles, J. Moore, Nisbet, O'Connell, Pistoria, Poff, Quilici, Rapp-Svrcek, Ream, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 36

Paired: Ellerd, Aye; Quilici, No.

Excused: None.

Total 0

Absent or not voting: Ellison, Raney.

Total 2

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Peck moved the adoption of the committee report. Report adopted. (90-8)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Vincent advised the House that future activities that are not part of the regular session should be scheduled through the Speaker's Office. This includes activities which take place in the House chambers during session.

Representative Harper moved that the House adjourn until 1:30 p.m., January 18, 1985.

Motion carried.

House adjourned at 2:22 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

ELEVENTH LEGISLATIVE DAY

Helena, Montana
January 18, 1985

House Chambers
State Capitol

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Devlin, Ellerd, Thomas, excused; Bardonouve, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the tenth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/17/85
Correctly printed: HB 25, HB 62, HB 80, HB 98, HB 99.
Considered correctly engrossed: HB 6, HB 21, HB 28, HB 104, HB 107.

1/18/85
Correctly printed: HB 9, HB 22, HB 23, HB 70, HB 125, HB 128, HB 181, HJR 3.
Correctly engrossed: HB 103.

FISH AND GAME (Ream, Chairman): 1/17/85
HB 93, introduced bill, be amended as follows:

1. Title, line 4.
Strike: "REQUIRING"
Insert: "ALLOWING"
2. Title, line 5.
Strike: "ALLOW"
Insert: "PERMIT"
3. Page 2, line 2.
Following: "to"
Insert: "have authority to"

And, as amended, do pass. Report adopted.

Adverse Committee Report
HB 91, do not pass.

HIGHWAYS AND TRANSPORTATION (Harp, Chairman): 1/17/85
HB 22, do pass. Report adopted.
HB 23, do pass. Report adopted.
HB 58, introduced bill, be amended as follows:

1. Page 1, line 23.
Following: "livestock"
Insert: " (i)"
2. Page 1, line 24.
Following: "and pasture"
Insert: " or"
Following: "or to a point"
Insert: "(ii) to a point"
3. Page 2, line 1.

Following: "of"

Strike: "22"

Insert: "24"

And, as amended, do pass. Report adopted.

Representative Bardanoue present at this time.

HUMAN SERVICES AND AGING (Keenan, Chairman):

1/18/85

Adverse Committee Report

HB 49 - Representative Keenan moved that the adverse committee report on HB 49 be adopted. Representative Harrington made a substitute motion that HB 49 be printed and placed on second reading. Motion failed. (27-67) Thereupon, the adverse committee report was adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanoue, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Hand, Hannah, Hanson, Harbin, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Keyser, Kitselman, Lory, Manuel, Marks, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, O'Hara, Patterson, Peck, Peterson, Phillips, Poff, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Waldron, Wallin, Winslow, Mr. Speaker.

Total 71

Noes: Abrams, D. Brown, Driscoll, Fritz, Hammond, Harrington, Hart, Howe, Kennerly, Koehnke, Krueger, McCormick, Menahan, Montayne, Nisbet, O'Connell, Pavlovich, Pistoria, Quilici, Rapp-Svrcek, Ream, Williams, Zabrocki.

Total 23

Excused: Devlin, Ellerd, Thomas.

Total 3

Absent or not voting: Grady, Hansen, Kadas.

Total 3

JUDICIARY (Hannah, Chairman):

1/18/85

HB 181, do pass. Report adopted.

HB 187, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "DEPARTMENT" through "SCIENCES" on line 8

Insert: "PREVAILING PARTY"

2. Title, line 8.

Strike: "BY IT TO INVESTIGATE AND ABATE"

Insert: "IN INVESTIGATING AND ABATING"

3. Title, line 9.

Following: "ACT"

Insert: "OR IN DEFENDING AGAINST ALLEGATIONS OF VIOLATIONS OF THE ACT"

4. Page 1, line 22.

Following: "award the"

Strike: "department"

Insert: "prevailing party"

5. Page 1, line 23.

Following: "violation"

Insert: "or in defending against an alleged violation"

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Darko, Chairman):

1/17/85

HB 125, do pass. Report adopted.

HB 128, do pass. Report adopted.

Adverse Committee Report

HB 145, do not pass.

RULES (Ramirez, Chairman):

1/17/85

HB 9, do pass. Report adopted.

HJR 3, do pass. Report adopted.

SJR 3, third reading copy, be amended as follows:

1. Page 34.

Following: line 23

Insert: "Revenue bills originating in the Senate shall be transmitted to the House on or before the 50th day, unless two-thirds of the members present and voting in the House determine that the bill may be transmitted after the 50th day. House amendments to such bills shall be transmitted by the House to the Senate on or before the 70th day unless two-thirds of the members present and voting in the Senate determine that such an amendment may be transmitted after the 70th day."

2. Page 34, line 25.

Following: "~~House~~"

Insert: "originating in the House"

3. Page 34, line 25 through line 1, page 35.

Strike: "FROM THE ORIGINAL HOUSE"

Insert: "to the Senate"

4. Page 35, line 2.

Following: "~~Senate~~"

Strike: "RECEIVING HOUSE"

Insert: "Senate"

5. Page 35, line 8.

Following: "~~day~~."

Insert: "Senate amendments to such bills shall be transmitted by the Senate to the House on or before the 85th legislative day unless two-thirds of the members present and voting in the House determine that such an amendment may be transmitted after the 85th day."

And, as amended, be concurred in. Report adopted.

TAXATION (Devlin, Chairman):

1/17/85

Adverse Committee Report

HB 62 - Representatives Bradley, Koehnke, Williams, Zabrocki, Schye, Keenan, Abrams, Hansen, Waldron, Ream, Harrington, Hand, J. Hammond, Krueger, Miles, Nisbet, Kadas, Pavlovich, Fritz, Connelly, and Peck objected to the adverse committee report on HB 62, and requested that the bill be printed and placed on second reading.

1/17/85

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent

January 17, 1985

Speaker of the House
State Capitol
Helena, Montana 59620

Dear Mr. Speaker:

Please be informed that I have signed House bill 15 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

Senate bills passed and transmitted to the House for concurrence: 1/16/85

SB 17, introduced by Goodover

SB 24, introduced by Towe, Asay

SB 26, introduced by Towe

SB 39, introduced by Mazurek

SB 44, introduced by Towe

SB 46, introduced by Towe

SB 68, introduced by Jacobson

Senate bills passed and transmitted to the House for concurrence: 1/17/85

SB 5, introduced by Daniels

SB 13, introduced by Story

SB 40, introduced by Mazurek

SB 71, introduced by Hager

MOTIONS

Representative Ramirez moved that HB 30 be taken from second reading and referred to the Committee on Taxation for further amendment. Representative Williams made a substitute motion that consideration of HB 30 be passed until the 13th legislative day. Motion carried. (65-29)

Representative Pavlovich moved that HB 233 be taken from the Committee on Business and Labor and rereferred to the Committee on Agriculture. Motion carried.

Representative Harp moved that Bengtson be added as a sponsor to HB 22. Motion carried.

Representative Harper moved that the rules be temporarily suspended to allow SJR 3 to be heard on second reading this day and that it be placed at the top of the board. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 243, introduced by Keyser. Referred to Committee on State Administration.

- HB 244**, introduced by Connelly, Lybeck, Kadas. Referred to Committee on State Administration.
- HB 245**, introduced by Connelly, Peck, McCormick, Bachini, (By Request of the Department of Justice, Motor Vehicle Division). Referred to Committee on Highways and Transportation.
- HB 246**, introduced by Connelly, Peck, Bachini, McCormick, (By Request of the Department of Justice, Motor Vehicle Division). Referred to Committee on Judiciary.
- HB 247**, introduced by J.K. Moore, Bergene, Miller, O'Hara, Christiaens, Goodover, Thayer, Cobb, Phillips, O'Connell, McCormick, Pistoria, Nisbet, Neuman, R. Manning. Referred to Committee on Appropriations.
- HB 248**, introduced by Schye, Miller. Referred to Committee on Local Government.
- HB 249**, introduced by Winslow. Referred to Committee on State Administration.
- HB 250**, introduced by Ramirez, Crippen, Mazurek, Goodover, B. Brown, Abrams, Marks, Keyser, Devlin, Zabrocki. Referred to Committee on Taxation.
- HB 251**, introduced by Ramirez, Campbell. Referred to Committee on Business and Labor.
- HB 252**, introduced by Waldron. Referred to Committee on Appropriations.
- HB 253**, introduced by Sands, Sales. Referred to Committee on Local Government.
- HB 254**, introduced by Devlin, Switzer, Pavlovich, Menahan, D. Brown, Phillips, C. Smith, Jones, Swift. Referred to Committee on Highways and Transportation.
- HB 255**, introduced by Spaeth. Referred to Committee on Local Government.
- HB 256**, introduced by Eudaily, Lory, (By Request of the Teachers' Retirement Board). Referred to Committee on Education and Cultural Resources.
- HB 257**, introduced by Harper, Winslow, Addy, Harp, Vincent. Referred to Committee on State Administration.
- HB 258**, introduced by Cohen, (By Request of the Flathead Basin Commission). Referred to Committee on State Administration.
- HB 259**, introduced by Keenan, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Human Services and Aging.
- HB 260**, introduced by Bardanouve, (By Request of the Department of Administration). Referred to Committee on State Administration.
- HB 261**, introduced by Simon, Eck, O'Hara, Nathe, Fritz, Regan, Brandewie, Garcia, Schultz, Thomas, Winslow, Keating, Crippen. Referred to Committee on Business and Labor.
- HB 262**, introduced by Lory, Eck, Bengtson, Boylan. Referred to Committee on State Administration.
- HB 263**, introduced by Pistoria. Referred to Committee on Local Government.
- HB 264**, introduced by Pistoria. Referred to Committee on Business and Labor.
- HB 265**, introduced by Ream, Marks. Referred to Committee on Judiciary.

The following Senate bills were introduced, read first time, and referred to committees:

- SB 5**, introduced by Daniels, (By Request of the Code Commissioner). Referred to Committee on Judiciary.

SB 13, introduced by Story, (By Request of the Administrative Code Committee). Referred to Committee on State Administration.

SB 17, introduced by Goodover, (By Request of the Code Commissioner). Referred to Committee on Business and Labor.

SB 24, introduced by Towe, Asay, (By Request of the Select Committee on Indian Affairs). Referred to Committee on State Administration.

SB 26, introduced by Towe, (By Request of the Select Committee on Indian Affairs). Referred to Committee on State Administration.

SB 39, introduced by Mazurek, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Business and Labor.

SB 40, introduced by Mazurek, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Business and Labor.

SB 44, introduced by Towe, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.

SB 46, introduced by Towe, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.

SB 68, introduced by Jacobson, (By Request of the Department of Livestock). Referred to Committee on Agriculture.

SB 71, introduced by Hager. Referred to Committee on Human Services and Aging.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Bergene in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SJR 3 - That SJR 3 be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Devlin, Ellerd, Thomas.

Total 3

Absent or not voting: Ellison.

Total 1

HB 43 - That HB 43 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Devlin, Ellerd, Thomas.

Total 3

Absent or not voting: O'Connell.

Total 1

HB 131 - That HB 131 do pass. Motion failed as follows:

Ayes: Abrams, Cobb, Connelly, Ernst, Gilbert, Glaser, Gould, Hanson, Harper, Holliday, Howe, Jenkins, Keenan, Kennerly, Kitselman, McCormick, Mercer, Miller, J.K. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Phillips, Pistoria, Quilici, Zabrocki.

Total 29

Noes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Garcia, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harrington, Hart, Hayne, Iverson, Jones, Kadas, Keller, Keyser, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Miles, Montayne, J. Moore, Nelson, Peck, Peterson, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Waldron, Wallin, Winslow, Mr. Speaker.

Total 67

Excused: Devlin, Ellerd, Thomas.

Total 3

Absent or not voting: Williams.

Total 1

That HB 131 do not pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Garcia, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harrington, Hart, Hayne, Iverson, Jones, Kadas, Keller, Keyser, Koehnke, Krueger, Lory, Manuel, Marks, Miles, Montayne, J. Moore, Nelson, Peck, Peterson, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 67

Noes: Abrams, Cobb, Connelly, Ernst, Gilbert, Glaser, Gould, Hanson, Harper, Holliday, Howe, Jenkins, Keenan, Kennerly, Kitselman, McCormick, Menahan, Mercer, Miller, J.K. Moore, Nathe, Nisbet,

O'Connell, O'Hara, Patterson, Pavlovich, Phillips, Pistoria, Quilici, Zabrocki.

Total 30

Excused: Devlin, Ellerd, Thomas.

Total 3

Absent or not voting: None.

Total 0

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Bergene moved the adoption of the committee report. Report adopted. (88-5)

MOTIONS

Representative Harper moved that the rules be temporarily suspended to allow SJR 3 to be placed on third reading this day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 21 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Devlin, Ellerd, Thomas.

Total 3

Absent or not voting: Asay, Lory, O'Connell.

Total 3

HB 28 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Devlin, Ellerd, Thomas.

Total 3

Absent or not voting: Lory.

Total 1

HB 104 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Devlin, Ellerd, Thomas.

Total 3

Absent or not voting: Ellison.

Total 1

HB 107 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Fritz, Hannah, Keyser, Sales.

Total 4

Excused: Devlin, Ellerd, Thomas.

Total 3

Absent or not voting: None.

Total 0

SJR 3 concurred in as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Devlin, Ellerd, Thomas.

Total 3

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

The Speaker announced that the Committee on Local Government would meet in room 312-2, not room 129, in the future.

Representative Harper moved that the House adjourn until 9:00 a.m., January 19, 1985.

Motion carried.

House adjourned at 2:50 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

TWELFTH LEGISLATIVE DAY

Helena, Montana
January 19, 1985

House Chambers
State Capitol

House convened at 9:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Devlin, Ellerd, Keller, Menahan, Miller, Pavlovich, Quilici, Sales, Thomas, Waldron, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the eleventh legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/18/85

Correctly printed: HB 58, HB 93, HB 96, HB 137, HB 150, HB 153, HB 182, HB 187.

Considered correctly engrossed: HB 43.

1/19/85

Correctly printed: HB 143, HB 147, HB 163.

BUSINESS AND LABOR (Pavlovich, Chairman):

1/18/85

HB 72, introduced bill, be amended as follows:

1. Title, line 6.

Following: "AMENDING"

Strike: "SECTION"

Insert: "SECTIONS 33-20-109 AND"

2. Page 4, line 13.

Following: line 12

Insert: "(8) The substance of the pertinent provisions of subsections (1) and (3) must be set forth in the policies to which they apply."

Renumber: subsequent subsection

3. Page 5, line 10.

Following: line 9

Insert: "Section 6. Section 33-20-109, MCA, is amended to read:

"33-20-109. Policy loan. (1) There Except as provided in [sections 1 through 5], there shall be a provision that after 3 full years' premiums have been paid and after the policy has a cash surrender value and while no premium is in default beyond the grace period for payment, the insurer will advance, on proper assignment or pledge of the policy and on the sole security thereof, at a specified rate of interest not exceeding 6% a year, an amount equal to or, at the option of the party entitled thereto, less than the loan value of the policy. The commissioner may authorize a rate of interest in excess of 6%, but not in excess of 8% a year (or 7.4% if payable annually in advance), for policies issued on or after January 1, 1980, if the insurer provides adequate written certification that the holders of such policies will benefit fully from the increased earnings of the insurer resulting from the use of an interest rate in excess of the 6% per annum, such as from higher interest income to the company on policy loans, higher investment yield resulting from a reduction in

policy loans because of the higher policy loan interest rate, and any additional income to the company resulting from the use of such higher interest rate in any manner whatsoever. These benefits to the policyholder shall be reflected through higher dividends or lower premiums, or both. The loan value of the policy shall be at least equal to the cash surrender value at the end of the then current policy year, provided that the insurer may deduct, either from such loan value or from the proceeds of the loan, any existing indebtedness not already deducted in determining such cash surrender value including any interest then accrued but not due, any unpaid balance of the premium for the current policy year, and interest on the loan to the end of the current policy year unless the policyowner by written notice to the insurer elects to defer payment of interest until it has accrued. The policy may also provide that if interest on any indebtedness is not paid when due it shall then be added to the existing indebtedness and shall bear interest at the same rate, and that if and when the total indebtedness on the policy, including interest due or accrued, equals or exceeds the amount of the loan value thereof, then the policy shall terminate and become void. The policy shall reserve to the insurer the right to defer the granting of a loan, other than for the payment of any premium to the insurer, for 6 months after application therefor. The policy, at the insurer's option, may provide for automatic premium loan, subject to an election of the party entitled to elect.

(2) This section shall not apply to term policies or to term insurance benefits provided by rider or supplemental policy provisions or to industrial life insurance policies.”

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 96, do pass. Report adopted.

HB 137, introduced bill, be amended as follows:

1. Page 2, line 15.

Following: “within”

Strike: “18”

Insert: “24”

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 138, do not pass.

HUMAN SERVICES AND AGING (Keenan, Chairman):

1/18/85

HB 182, do pass. Report adopted.

SJR 1, be concurred in. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

1/18/85

HB 143, do pass. Report adopted.

HB 147, introduced bill, be amended as follows:

1. Page 1, line 14.

Strike: “\$100,000”

Insert: “\$75,000”

2. Page 1, line 16.

Strike: “\$100,000”

Insert: “\$75,000”

And, as amended, do pass. Report adopted.

HB 150, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 150

A statement of intent is required for this bill because sections 1 through 3 and 7 grant the secretary of state authority to establish fees for filing documents and issuing certificates required by Title 30, chapter 9; Title 30, chapter 13, parts 2 and 3; and Title 35, chapter 2. The documents and certificates for which filing fees may be charged under those rules include those specifically mentioned in sections 30-9-403, 30-13-217, 30-13-311, 30-13-313, 30-13-315, and 35-2-1001, MCA, prior to amendment by this bill, and any others required under Title 30, chapter 9; Title 30, chapter 13, parts 2 and 3; and Title 35, chapter 2. These rules must allow the filing and billing for filing fees to be accomplished by mail.

Sections 1 through 3 and 7 require fees to be commensurate with costs. This means reasonably related to the costs of processing the documents.

HB 153, do pass. Report adopted.

HB 163, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "DATA PROCESSING"

Insert: "THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES MEDICAID"

Strike: "SYSTEMS"

Insert: "SYSTEM (MMIS)"

2. Page 1, line 17.

Strike: "data processing"

Insert: "the department of social and rehabilitation services medic-aid"

3. Page 1, line 18.

Strike: "systems"

Insert: "system (MMIS)"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 146, do not pass.

HB 161, do not pass.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Menahan,
Chairman): 1/18/85

Recommend that the following employees be hired by the 49th Legislature:

Jane Thorsen.....Committee Secretary
Paul B. Newcomb.....Permanent Page

MESSAGES FROM THE OTHER HOUSE

Senate bills passed and transmitted to the House for concurrence: 1/18/85

SB 18, introduced by Mazurek

SB 42, introduced by Towe

SB 47, introduced by Towe

MOTIONS

Representative Pistoria moved that HB 263 be taken from the Committee on Local Government and rereferred to the Committee on Business and Labor. Motion carried.

Representative Marks moved that SB 26 be taken from the Committee on State Administration and rereferred to the Committee on Judiciary. Motion carried.

Representative Kitselman moved that HB 96 be taken from printing and referred to the Committee on Business and Labor. Motion carried.

Representative Eudaily moved that consideration of HB 9, second reading today, be passed for the day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 266, introduced by Harbin, (By Request of the Department of Administration). Referred to Committee on State Administration.

HB 267, introduced by Harbin, (By Request of the Department of Administration). Referred to Committee on Education and Cultural Resources.

HB 268, introduced by Harbin, (By Request of the Department of Administration). Referred to Committee on State Administration.

HB 269, introduced by Abrams, Garcia, Krueger, Miles, Moore, Zabrocki, Manuel, Hart, Holliday. Referred to Committee on State Administration.

HB 270, introduced by Marks, Harper, Haffey, Fuller, Menahan, Donaldson, Keenan. Referred to Committee on State Administration.

HB 271, introduced by Schye, H. Hammond. Referred to Committee on Human Services and Aging.

HB 272, introduced by Wallin, (By Request of the Department of Labor and Industry). Referred to Committee on Business and Labor.

HB 273, introduced by Pistoria. Referred to Committee on Business and Labor.

HB 274, introduced by Holliday. Referred to Committee on State Administration.

HB 275, introduced by Cobb. Referred to Committee on Judiciary.

HB 276, introduced by Bradley, Miller, Spaeth, Brandewie. Referred to Committee on Judiciary.

HB 277, introduced by Manuel, (By Request of the Board of Crime Control). Referred to Committee on State Administration.

HB 278, introduced by Menahan, Pavlovich, Quilici, Driscoll, Lynch, Keenan. Referred to Committee on Business and Labor.

HB 279, introduced by Kitselman, Abrams, Hager, Thoft. Referred to Committee on Local Government.

HB 280, introduced by Bergene, (By Request of the Board of Pharmacy). Referred to Committee on Business and Labor.

HB 281, introduced by Williams, Keenan. Referred to Committee on State Administration.

HB 282, introduced by Menahan, Quilici, Rapp-Svrcek, Brandewie, Keenan, Pavlovich, Harrington, D. Brown, Harp. Referred to Committee on Fish and Game.

HB 283, introduced by O'Connell, J.K. Moore, Keyser, Pistoria, Connelly, C. Smith, Blaylock, Lybeck, Zabrocki, Montayne, Pavlovich, Lynch, Harding, E. Smith, Hirsch, Boylan, Jacobson, H. Hammond,

Hand, J. Brown, B. Williams, Kadas, Howe, Kennerly, Vincent, Keenan, Miles, Abrams, Donaldson, Harrington, Bergene, Brandewie, Miller, R. Manning, Christiaens, Van Valkenburg, Lory, Peck, J. Hammond, Garcia, Ream, Hart, Menahan, McCormick, Jones, Bachini, O'Hara, Harp, Harbin, Koehnke, Bradley, Spaeth, Fritz, Manuel, Nisbet, Driscoll, Addy, Quilici, Krueger, D. Brown, Schye, Swift. Referred to Committee on State Administration.

HB 284, introduced by Harper, Donaldson, Fuller, Quilici, (By Request of the Department of Labor and Industry). Referred to Committee on Business and Labor.

HB 285, introduced by Lory. Referred to Committee on Business and Labor.

HB 286, introduced by Kitselman, Quilici, C. Smith, B. Williams, Shaw, Tveit, Hirsch, Ellison, Asay, Abrams, Manuel, D. Brown, Gage, Thayer, Sands, Schultz, Hart, Poff, Gilbert. Referred to Committee on Judiciary.

HJR 9, introduced by Waldron. Referred to Committee on Taxation.

The following Senate bills were introduced, read first time, and referred to committees:

SB 18, introduced by Mazurek, (By Request of Joint Interim Subcommittee No. 4). Referred to Committee on Education and Cultural Resources.

SB 42, introduced by Towe, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.

SB 47, introduced by Towe, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Ream in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 134 - Representative Harper moved that consideration of HB 134 be passed for the day due to absence of the sponsor. Motion carried.

HB 139 - That HB 139 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Devlin, Ellerd, Keller, Menahan, Miller, Pavlovich, Quilici, Sales, Thomas, Waldron.

Total 10

Absent or not voting: Jones.

Total 1

HB 155 - That HB 155 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 83

Noes: Bardanouve, Ernst, Kitselman, Marks, Nelson, Ramirez, Sands.

Total 7

Excused: Devlin, Ellerd, Keller, Menahan, Miller, Pavlovich, Quilici, Sales, Thomas, Waldron.

Total 10

Absent or not voting: None.

Total 0

HJR 2 - That HJR 2 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Devlin, Ellerd, Keller, Menahan, Miller, Pavlovich, Quilici, Sales, Thomas, Waldron.

Total 10

Absent or not voting: Bardanouve.

Total 1

HJR 5 - Representative Asay moved that HJR 5, second reading copy, be amended as follows:

1. Page 2, line 11.

Following: "some"

Strike: "225,000"

Insert: "589,000"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 88

Noes: Cohen.

Total 1

Excused: Devlin, Ellerd, Keller, Menahan, Miller, Pavlovich, Quilici, Sales, Thomas, Waldron.

Total 10

Absent or not voting: D. Brown.

Total 1

Representative Raney moved that HJR 5, second reading copy, be further amended as follows:

1. Page 3, line 1.

Following: "Conservation,"

Insert: "the Montana Department of Fish, Wildlife, and Parks,"

2. Page 3, line 12.

Following: "program"

Insert: ", to be approved and monitored by the Montana Department of Natural Resources and Conservation and the Montana Department of Fish, Wildlife, and Parks"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Eudaily, Jones, Lory, Zabrocki.

Total 4

Excused: Devlin, Ellerd, Keller, Menahan, Miller, Pavlovich, Quilici, Sales, Thomas, Waldron.

Total 10

Absent or not voting: Bardanouve, O'Connell, Ramirez.

Total 3

That HJR 5, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 88

Noes: Cohen.

Total 1

Excused: Devlin, Ellerd, Keller, Menahan, Miller, Pavlovich, Quilici, Sales, Thomas, Waldron.

Total 10

Absent or not voting: Nathe.

Total 1

HB 25 - Representative Swift moved that HB 25, second reading copy, be amended. Representative Swift made a substitute motion that HB 25 be passed to the bottom of the board. Representative Ramirez made a further substitute motion that HB 25 be placed below HB 80. Motion carried.

HB 62 - Representative Bradley moved that HB 62 do pass. Representative Spaeth made a substitute motion that consideration of HB 62 be passed for the day. Motion carried. (46-44)

HB 80 - That HB 80 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 85

Noes: D. Brown, Nathe, Schultz.

Total 3

Excused: Devlin, Ellerd, Keller, Menahan, Miller, Pavlovich, Quilici, Sales, Thomas, Waldron.

Total 10

Absent or not voting: Jones, Kadas.

Total 2

HB 25 - Representative Swift moved that HB 25 be placed below HB 142. Motion carried.

HB 98 - That HB 98 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cohen, Compton, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peterson, Phillips, Poff, Ramirez, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Winslow, Zabrocki.

Total 78

Noes: Bachini, D. Brown, Cody, Harrington, J.K. Moore, Peck, Pistoria, Raney, Rapp-Svrcek, Mr. Speaker.

Total 10

Excused: Devlin, Ellerd, Keller, Menahan, Miller, Pavlovich, Quilici, Sales, Thomas, Waldron.

Total 10

Absent or not voting: Connelly, Williams.

Total 2

Representative Winslow excused at this time.

HB 99 - That HB 99 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Williams, Zabrocki, Mr. Speaker.

Total 83

Noes: Eudaily, Hayne, Lory, Nelson, Wallin.

Total 5

Excused: Devlin, Ellerd, Keller, Menahan, Miller, Pavlovich, Quilici, Sales, Thomas, Waldron, Winslow.

Total 11

Absent or not voting: Fritz.

Total 1

HB 116 - That HB 116 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Krueger, Lory, Manuel, Marks, Mercer, Miles, Montayne, J. Moore, Nelson, Nisbet, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schye,

Simon, Spaeth, Swift, Switzer, Thoft, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 75

Noes: Asay, Gilbert, Hannah, Keyser, Kitselman, Koehnke, McCormick, J.K. Moore, Nathe, O'Connell, Ramirez, Schultz, Smith.

Total 13

Excused: Devlin, Ellerd, Keller, Menahan, Miller, Pavlovich, Quilici, Sales, Thomas, Waldron, Winslow.

Total 11

Absent or not voting: Hansen.

Total 1

HB 141 - That HB 141 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 87

Noes: None.

Total 0

Excused: Devlin, Ellerd, Keller, Menahan, Miller, Pavlovich, Quilici, Sales, Thomas, Waldron, Winslow.

Total 11

Absent or not voting: Ellison, Harrington.

Total 2

HB 142 - That HB 142 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 87

Noes: None.

Total 0

Excused: Devlin, Ellerd, Keller, Menahan, Miller, Pavlovich, Quilici, Sales, Thomas, Waldron, Winslow.

Total 11

Absent or not voting: Bergene, Harrington.

Total 2

Representative Simon excused at this time.

HB 25 - That HB 25 do pass. Motion carried as follows:

Ayes: Asay, Bergene, J. Brown, Cobb, Cody, Compton, Donaldson, Ellison, Ernst, Eudaily, Gould, Hannah, Hanson, Harp, Harrington, Holliday, Iverson, Jenkins, Keenan, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Phillips, Pistoria, Poff, Ramirez, Rehberg, Sands, Schye, Swift, Switzer, Thoft, Wallin, Zabrocki, Mr. Speaker.

Total 47

Noes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Campbell, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hansen, Harbin, Harper, Hart, Hayne, Howe, Jones, Kadas, Keyser, Mercer, Miles, Montayne, J. Moore, Pavlovich, Peck, Peterson, Raney, Rapp-Svrcek, Ream, Sales, Schultz, Smith, Spaeth, Williams.

Total 43

Excused: Devlin, Ellerd, Keller, Menahan, Miller, Quilici, Simon, Thomas, Waldron, Winslow.

Total 10

Absent or not voting: None.

Total 0

Representative Harrington excused at this time.

HB 22 - That HB 22 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 84

Noes: Fritz, Jenkins, Keyser.

Total 3

Excused: Devlin, Ellerd, Keller, Menahan, Miller, Pavlovich, Quilici, Sales, Simon, Thomas, Waldron, Winslow.

Total 12

Absent or not voting: Harrington.

Total 1

HB 23 - Representative Abrams moved that consideration of HB 23 be passed for the day. Motion carried.

HB 58 - That HB 58 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Donaldson, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond,

Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Marks, Mercer, Miles, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Smith, Switzer, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 75

Noes: Campbell, Cobb, Compton, Driscoll, Koehnke, Manuel, Montayne, Nathe, Spaeth, Swift, Thoft.

Total 11

Excused: Devlin, Ellerd, Keller, Menahan, Miller, Pavlovich, Quilici, Sales, Simon, Thomas, Waldron, Winslow.

Total 12

Absent or not voting: Ellison, Harrington.

Total 2

HB 70 - Representative Hand moved that consideration of HB 70 be passed for the day. Motion carried.

HB 88 - Representative Keyser moved that HB 88 be placed below HB 125. Motion carried.

Representative Asay excused at this time.

HB 93 - That HB 93 do pass. Motion failed as follows:

Ayes: Addy, Brandewie, Cobb, Compton, Ernst, Eudaily, Glaser, Gould, Grady, Hanson, Harp, Hart, Jenkins, Keyser, Lory, McCormick, Manuel, Marks, Montayne, J.K. Moore, Nathe, Patterson, Peterson, Phillips, Rapp-Svrcek, Schultz, Swift, Thoft, Zabrocki.

Total 29

Noes: Abrams, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cody, Cohen, Connelly, Darko, Driscoll, Ellison, Fritz, Garcia, Gilbert, Hammond, Hand, Hannah, Hansen, Harbin, Harper, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Krueger, Mercer, Miles, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Peck, Pistoria, Poff, Ramirez, Raney, Ream, Rehberg, Sands, Schye, Smith, Spaeth, Switzer, Wallin, Williams, Mr. Speaker.

Total 56

Excused: Asay, Devlin, Ellerd, Keller, Menahan, Miller, Pavlovich, Quilici, Sales, Simon, Thomas, Waldron, Winslow.

Total 13

Absent or not voting: Donaldson, Harrington.

Total 2

That HB 93 do not pass. Motion carried as follows:

Ayes: Abrams, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harper, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Krueger, McCormick, Manuel, Mercer, Miles, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Peck, Pistoria, Poff, Ramirez, Raney, Ream, Rehberg, Sands, Schye, Smith, Spaeth, Switzer, Wallin, Williams.

Total 59

Noes: Addy, Brandewie, Cobb, Compton, Donaldson, Ernst, Eudaily, Glaser, Hanson, Harp, Hart, Jenkins, Keyser, Lory, Marks, J.K. Moore, Nathe, Patterson, Peterson, Phillips, Rapp-Svrcek, Schultz, Swift, Thoft, Zabrocki.

Total 25

Excused: Asay, Devlin, Ellerd, Keller, Menahan, Miller, Pavlovich, Quilici, Sales, Simon, Thomas, Waldron, Winslow.

Total 13

Absent or not voting: Ellison, Harrington, Mr. Speaker.

Total 3

Representatives Hanson and Harp excused at this time.

HB 125 - Representative Peck moved that HB 125 do pass. Representative Ramirez made a substitute motion that consideration of HB 125 be passed for the day. Motion carried.

Representative D. Brown in the Chair.

HB 88 - That HB 88 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Ream, Rehberg, Sands, Schultz, Schye, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 82

Noes: D. Brown, Rapp-Svrcek.

Total 2

Excused: Asay, Devlin, Ellerd, Hanson, Harp, Keller, Menahan, Miller, Pavlovich, Quilici, Sales, Simon, Thomas, Waldron, Winslow.

Total 15

Absent or not voting: Harrington.

Total 1

HB 128 - That HB 128 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 84

Noes: None.

Total 0

Excused: Asay, Devlin, Ellerd, Hanson, Harp, Keller, Menahan, Miller, Pavlovich, Quilici, Sales, Simon, Thomas, Waldron, Winslow.

Total 15

Absent or not voting: Harrington.

Total 1

HB 181 - That HB 181 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hansen, Harbin, Harper, Hart, Holliday, Howe, Iverson, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Spaeth, Swift, Thoft, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 75

Noes: Gould, Hannah, Hayne, Jenkins, Jones, Keyser, Patterson, Smith, Switzer.

Total 9

Excused: Asay, Devlin, Ellerd, Hanson, Harp, Keller, Menahan, Miller, Pavlovich, Quilici, Sales, Simon, Thomas, Waldron, Winslow.

Total 15

Absent or not voting: Harrington.

Total 1

Representative Ream in the Chair.

HB 187 - Representative Harper moved that HB 187 do pass. Representative Harper made a substitute motion that consideration of HB 187 be passed for the day. Motion carried.

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ream moved the adoption of the committee report. Report adopted. (83-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 6 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 84

Noes: None.

Total 0

Excused: Asay, Devlin, Ellerd, Hanson, Harp, Keller, Menahan, Miller, Pavlovich, Quilici, Sales, Simon, Thomas, Waldron, Winslow.

Total 15

Absent or not voting: Harrington.

Total 1

HB 103 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 84

Noes: None.

Total 0

Excused: Asay, Devlin, Ellerd, Hanson, Harp, Keller, Menahan, Miller, Pavlovich, Quilici, Sales, Simon, Thomas, Waldron, Winslow.

Total 15

Absent or not voting: Harrington.

Total 1

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

The Speaker introduced this week's pages: Kimberly VandenBos, Colleen Meglen, Rolf Ream, Tarn Ream, Tracey Lee, and Tracey Mitchell, and thanked them for their services.

Representative Harper moved that the House adjourn until 1:30 p.m., January 21, 1985.

Motion carried.

House adjourned at 1:45 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

THIRTEENTH LEGISLATIVE DAY

Helena, Montana
January 21, 1985

House Chambers
State Capitol

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Kennerly, Spaeth, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twelfth legislative day, find the same to be correct.

Menahan, Chairman

MOTIONS

Representative Lory moved that HB 146 be taken from adverse committee report status and referred to the Committee on State Administration. Motion carried.

Representative Marks moved that HB 256 be taken from the Committee on Education and Cultural Resources and rereferred to the Committee on State Administration. Motion carried.

Representative Williams moved that consideration of HB 30, second reading, be passed for the day. Motion carried.

Representative D. Brown moved that Pavlovich, Pistoria, Montayne, Hannah, Keyser, J.K. Moore, Quilici, Schultz, and Marks be added as sponsors to HB 111. Motion carried.

Representative Pavlovich moved that HB 290 be taken from the Committee on Business and Labor and rereferred to the Committee on Human Services. Motion carried.

Representative Asay moved that Montayne, Grady, Brandewie, J. Moore, Cobb, and J.K. Moore be added as sponsors to HB 191. Motion carried.

Representative Sales moved that consideration of HB 70 be passed until the 17th legislative day. Motion carried.

Representative Sales moved that consideration of HB 153 be passed until the 17th legislative day for a revised fiscal note. Motion carried.

Representative Donaldson moved that HB 63 be taken from the Committee on State Administration and rereferred to the Committee on Appropriations. Motion carried.

Representative Koehnke moved that Asay be added as a sponsor to HB 24. Motion carried.

Representative Ernst moved that Patterson, Hanson, Campbell, Rehberg, Thoft, Brandewie, Nathe, Schultz, Compton, Switzer, and Hayne be added as sponsors to HB 92. Motion carried.

Representative Marks moved that the body rise and sing Happy Birthday to the youngest member of the House, Representative Mercer. Motion carried and a rousing chorus ensued.

Representative Manuel moved that HB 277 be taken from the Committee on State Administration and rereferred to the Committee on Local Government. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Keyser, Vice-Chairman):

1/19/85

Correctly printed: HB 72.

Considered correctly engrossed: HB 22, HB 25, HB 58, HB 80, HB 88,
HB 98, HB 99, HB 116, HB 128, HB 139, HB 141, HB 142,
HB 155, HB 181, HJR 2.

Correctly engrossed: HJR 5.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Schultz, Chairman):

1/18/85

HB 148, introduced bill, be amended as follows:

1. Page 3, line 4.

Following: "attending a"Strike: "6-hour training"Following: "program"

Insert: "consisting of 6 hours of training"

And, as amended, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent

HB 148

This bill requires a statement of intent because the training program required in section 1, amending 80-8-209(5), must be administered according to rules to be promulgated by the department.

It is the intent of the legislature that the rules shall provide for training which ensures that each participant possesses the qualifications listed in 80-8-209(3). The department shall provide for a schedule of training sessions which will enable an applicant for recertification to obtain the required training either in a 1-day segment or over an extended period. In either case no applicant for recertification may be recertified unless he has received part or all of the required training within 1 year prior to the commencement of the 5-year period for which recertification is sought.

BUSINESS AND LABOR (Pavlovich, Chairman):

1/21/85

HB 96, introduced bill, be amended as follows:

1. Title, lines 4 and 5.

Following: "DECREASE" on line 4

Strike: "FROM" through "60 DAYS" on line 5

2. Page 1, line 23.

Strike: "60"

Insert: "120"

Following: "after"

Insert: "the initial"

3. Page 1, line 24.

Following: "marketed"

Insert: "and within 60 days for all oil and 90 days for all gas pro-
duced and marketed thereafter"

Following: "royalties"

Strike: "thereafter"

Insert: "will"

4. Page 2, line 4.

Following: "\$50"

Insert: "and annually whenever the aggregate amount is less than
\$10"

And, as amended, do pass. Report adopted.

HB 174, introduced bill, be amended as follows:

1. Title, line 6.

Following: "APPOINTEE"

Strike: "REPRESENT"

Insert: "HAVE EXPERIENCE IN REPRESENTING"

2. Title, line 7.

Following: line 6

Strike: "REPRESENT"

Insert: "HAVE EXPERIENCE IN REPRESENTING"

3. Page 1, line 19.

Following: "shall"

Strike: "represent"

Insert: "have experience in representing"

4. Page 1, line 20.

Following: "shall"

Strike: "represent"

Insert: "have experience in representing"

And, as amended, do pass. Report adopted.

HB 195, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent

HB 195

A statement of intent is required for this bill because it delegates rule-making authority to the department of administration to adopt rules providing standards for the construction of factory-built buildings. The bill provides that the department may adopt standards more stringent than nationally recognized construction standards. It is the intent of the legislature that if the department adopts more stringent standards, the standards should be aimed at addressing Montana's climatic demands and protection of Montana consumers.

Adverse Committee Report

HB 138, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Gould, Jones, Lory, Peck.

Total 4

Excused: Kennerly, Spaeth.

Total 2

Absent or not voting: None.

Total 0

FISH AND GAME (Ream, Chairman):

1/21/85

Adverse Committee Report

HB 91, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: Ernst, McCormick, J.K. Moore, Rapp-Svrcek, Swift.

Total 5

Excused: Kennerly, Spaeth.

Total 2

Absent or not voting: Brandewie, Ellerd.

Total 2

JUDICIARY (Hannah, Chairman):

1/21/85

Adverse Committee Report

HB 193, do not pass.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Menahan, Chairman):

1/21/85

Recommend that the following employees be hired by the 49th Legislature:

Dan MiznerSecurity Guard
Sheila LopachSecretary to Assistant Chief Clerk

LOCAL GOVERNMENT (Darko, Chairman):

1/21/85

Adverse Committee Report

HB 145, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet,

O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Kitselman.

Total 1

Excused: Kennerly, Spaeth.

Total 2

Absent or not voting: None.

Total 0

NATURAL RESOURCES (Iverson, Chairman): 1/21/85

HB 81, do pass. Report adopted.

RULES (Ramirez, Chairman): 1/21/85

HR 1, second reading copy, be amended as follows:

1. Page 5.

Following: line 11

Insert: "NEW SECTION. H3-5. After an amendment to a bill has been adopted in a committee or committee of the whole, the amendment adheres to the bill until it is removed by a specific action of the committee or until final disposition of the bill by the committee."

And, as amended, do pass. Report adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: D. Brown.

Total 1

Excused: Kennerly, Spaeth.

Total 2

Absent or not voting: None.

Total 0

STATE ADMINISTRATION (Sales, Chairman): 1/21/85

Adverse Committee Report

HB 161 - Representatives Sales, Holliday, Peterson, Miles, Simon, Swift, Jenkins, Nelson, Bergene, Mercer, Campbell, Hanson, Miller, Ernst, Keller, Donaldson, Schye, Montayne, J. Brown, Ream, and Garcia objected to the adverse committee report on HB 161, and requested that the bill be printed and placed on second reading.

1/21/85

TAXATION (Devlin, Chairman):

1/21/85

HB 27, do pass. Report adopted.

HB 172, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Senate bills passed and transmitted to the House for concurrence: 1/19/85

SB 6, introduced by Daniels

SB 8, introduced by Neuman

SB 16, introduced by Kolstad

SB 65, introduced by Blaylock

SB 78, introduced by Tveit

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 287, introduced by J.K. Moore, Goodover, Kolstad, Sands, Hirsch, D. Brown. Referred to Committee on Taxation.

HB 288, introduced by Thoft, Holliday, Neuman, Ramirez. Referred to Committee on State Administration.

HB 289, introduced by Marks, Lane, Keenan, Donaldson, Harrington, Grady. Referred to Committee on State Administration.

HB 290, introduced by Lory, (By Request of the Board of Dentistry). Referred to Committee on Business and Labor.

HB 291, introduced by O'Connell, J.K. Moore, Keyser, Pistoria, Connelly, Blaylock, Lybeck, Zabrocki, Montayne, Pavlovich, Lynch, Harding, E. Smith, Williams, Hirsch, Boylan, Jacobson, Hand, J. Brown, Kadas, Howe, Kennerly, Vincent, Keenan, C. Smith, Miles, Abrams, Donaldson, Harrington, Bergene, Brandewie, Miller, R. Manning, Christiaens, Van Valkenburg, Lory, Peck, J. Hammond, Garcia, Ream, Harp, Harbin, Hart, Menahan, Jones, McCormick, Bachini, O'Hara, Koehnke, Bradley, Spaeth, Fritz, Manuel, Driscoll, Nisbet, Holliday, Addy, Quilici, Krueger, D. Brown, Schye, Swift. Referred to Committee on State Administration.

HB 292, introduced by O'Connell, J.K. Moore, Keyser, Connelly, Blaylock, Lybeck, Zabrocki, Montayne, Pavlovich, Lynch, Harding, E. Smith, Hirsch, Boylan, Jacobson, H. Hammond, Stimatz, Hand, J. Brown, Kadas, Howe, Kennerly, Vincent, Keenan, Miles, Abrams, Donaldson, Pistoria, Harrington, Bergene, Brandewie, Miller, R. Manning, Christiaens, Lory, Hart, Menahan, Jones, McCormick, Bachini, O'Hara, Koehnke, Bradley, Spaeth, Manuel, Nisbet, Driscoll, Addy, Quilici, Krueger, D. Brown, Schye, Swift, Fritz, Peck, J. Hammond, Garcia, Ream, Harp, Harbin, Williams. Referred to Committee on State Administration.

HB 293, introduced by Bardanoue. Referred to Committee on Judiciary.

HB 294, introduced by Bardanoue, (By Request of the Legislative Finance Committee). Referred to Committee on Appropriations.

HB 295, introduced by Harrington, Pavlovich, Menahan, McCormick, Christiaens, Krueger, Ream, Garcia, J. Hammond, Hand, Peck, Pistoria, Harp, Bachini, Vincent, Hansen, Lynch, Jacobson, Stimatz, Driscoll. Referred to Committee on Business and Labor.

HB 296, introduced by J.K. Moore. Referred to Committee on Appropriations.

HB 297, introduced by Compton, (By Request of the Department of Agriculture). Referred to Committee on State Administration.

HB 298, introduced by Eudaily, Lory, Schultz, Peck. Referred to Committee on State Administration.

HB 299, introduced by Eudaily. Referred to Committee on Local Government.

HB 300, introduced by Nathe, Bradley, E. Smith, Campbell, O'Hara, Bergene, Cobb, J.K. Moore, O'Connell, Peck, J. Brown, Hand. Referred to Committee on Judiciary.

HB 301, introduced by Bradley, Gould, J. Brown, O'Connell. Referred to Committee on Education and Cultural Resources.

HB 302, introduced by J. Brown, (By Request of the Department of Military Affairs). Referred to Committee on State Administration.

HB 303, introduced by Ramirez, Rehberg. Referred to Committee on Business and Labor.

HB 304, introduced by J. Brown, Miles, Harper, Mazurek, Keenan, Rapp-Svrcek, Spaeth, Fuller, Connelly. Referred to Committee on Judiciary.

HB 305, introduced by Schye, D. Brown. Referred to Committee on Education and Cultural Resources.

HB 306, introduced by Menahan, (By Request of the Board of Athletics). Referred to Committee on Business and Labor.

HB 307, introduced by Menahan, Harbin, J. Brown. Referred to Committee on Taxation.

The following Senate bills were introduced, read first time, and referred to committees:

SB 6, introduced by Daniels, (By Request of the Code Commissioner). Referred to Committee on Business and Labor.

SB 8, introduced by Neuman, (By Request of Interim Joint Subcommittee No. 3). Referred to Committee on State Administration.

SB 16, introduced by Kolstad, (By Request of the Code Commissioner). Referred to Committee on Human Services and Aging.

SB 65, introduced by Blaylock. Referred to Committee on Rules.

SB 78, introduced by Tveit. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Harp in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 100 - That HB 100 do pass. Motion failed as follows:

Ayes: Bachini, D. Brown, Cohen, Connelly, Darko, Driscoll, Garcia, Hammond, Hansen, Harbin, Harper, Harrington, Hart, Keenan, Krueger, McCormick, Menahan, Miles, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 33

Noes: Abrams, Addy, Asay, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Hayne, Holliday, Howe, Iverson, Jenkins, Jones,

Kadas, Keller, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Poff, Ramirez, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 66

Paired: Keenan, Aye; Spaeth, No.

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

That HB 100 do not pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Menahan, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Poff, Ramirez, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 69

Noes: Bachini, D. Brown, Cohen, Connelly, Darko, Driscoll, Hammond, Harbin, Harper, Harrington, Hart, Keenan, Krueger, McCormick, Miles, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Quilici, Raney, Ream, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 29

Paired: Spaeth, Aye; Keenan, No.

Excused: Kennerly.

Total 1

Absent or not voting: Hansen.

Total 1

HB 9 - That HB 9 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Swift, Switzer, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 88

Noes: Asay, Glaser, Hannah, Keyser, Peck, Phillips, Sands, Thoft.

Total 8

Excused: Kennerly, Spaeth.

Total 2

Absent or not voting: Ellison, O'Connell.

Total 2

HJR 3 - That HJR 3 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Kennerly, Spaeth.

Total 2

Absent or not voting: None.

Total 0

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Harp moved the adoption of the committee report. Report adopted. (93-3)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 22 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Jenkins.

Total 1

Excused: Kennerly, Spaeth.

Total 2

Absent or not voting: None.

Total 0

HB 25 failed to pass as follows:

Ayes: Compton, Devlin, Donaldson, Ernst, Eudaily, Gould, Hannah, Hanson, Harp, Iverson, Kitselman, Lory, Marks, Miller, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peterson, Phillips, Pistoria, Ramirez, Rehberg, Sands, Schye, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 34

Noes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Connelly, Darko, Driscoll, Ellerd, Ellison, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Koehnke, Krueger, McCormick, Manuel, Menahan, Mercer, Miles, Montayne, J. Moore, Pavlovich, Peck, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Schultz, Simon, Smith, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 65

Paired: Sands, Aye; Spaeth, No.

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

HB 43 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Kennerly, Spaeth.

Total 2

Absent or not voting: Harrington.

Total 1

HB 58 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Devlin, Donaldson, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Jenkins, Kadas, Keenan, Keller, Keyser, Kitselman, Krueger, Lory, McCormick, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 84

Noes: Asay, Campbell, Cobb, Compton, Driscoll, Ellerd, Ellison, Iverson, Jones, Koehnke, Manuel, Marks, Nathe, Thoft.

Total 14

Excused: Kennerly, Spaeth.

Total 2

Absent or not voting: None.

Total 0

HB 80 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Kennerly, Spaeth.

Total 2

Absent or not voting: None.

Total 0

HB 88 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: D. Brown, Rapp-Svrcek.

Total 2

Excused: Kennerly, Spaeth.

Total 2

Absent or not voting: Ellison, O'Connell.

Total 2

HB 98 passed as follows:

Ayes: Abrams, Addy, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Poff, Quilici, Ramirez, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow.

Total 80

Noes: Asay, Bachini, D. Brown, Cobb, Cody, Hammond, Harrington, Jones, Menahan, J.K. Moore, Peck, Raney, Rapp-Svrcek, Ream, Waldron, Zabrocki, Mr. Speaker.

Total 17

Excused: Kennerly, Spaeth.

Total 2

Absent or not voting: Pistoria.

Total 1

HB 99 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: Eudaily, Hayne, Jones, Lory, Peterson, Poff, Wallin.

Total 7

Excused: Kennerly, Spaeth.

Total 2

Absent or not voting: None.

Total 0

HB 116 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Krueger, Lory, McCormick, Manuel, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 81

Noes: Asay, Devlin, Ellison, Gilbert, Hannah, Harp, Keyser, Koehnke, Marks, Menahan, Mercer, J.K. Moore, O'Connell, Patterson, Ramirez, Schultz.

Total 16

Excused: Kennerly, Spaeth.

Total 2

Absent or not voting: Howe.

Total 1

HB 128 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connolly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Kennerly, Spaeth.

Total 2

Absent or not voting: None.

Total 0

HB 139 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connolly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Kennerly, Spaeth.

Total 2

Absent or not voting: None.

Total 0

HB 142 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Marks.

Total 1

Excused: Kennerly, Spaeth.

Total 2

Absent or not voting: Bergene.

Total 1

HB 155 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Kitselman, Ramirez, Sales, Sands.

Total 4

Excused: Kennerly, Spaeth.

Total 2

Absent or not voting: None.

Total 0

HB 181 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Asay, Ellison, Gould, Hannah, Keyser, Nathe.

Total 6

Excused: Kennerly, Spaeth.

Total 2

Absent or not voting: None.

Total 0

HJR 2 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Kennerly, Spaeth.

Total 2

Absent or not voting: Hayne.

Total 1

HJR 5 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Cohen, Hansen.

Total 2

Excused: Kennerly, Spaeth.

Total 2

Absent or not voting: Glaser.

Total 1

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

The Montana Retail Association will hold its annual convention banquet tonight at the Colonial.

Representative Harper moved that the House adjourn until 1:00 p.m., January 22, 1985.

Motion carried.

House adjourned at 3:03 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

FOURTEENTH LEGISLATIVE DAY

Helena, Montana
January 22, 1985

House Chambers
State Capitol

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Gould, J.K. Moore, Winslow, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the thirteenth legislative day, find the same to be correct.

Menahan, Chairman

COMMUNICATIONS AND PETITIONS

Speaker Vincent appointed the following members to the Legislative Consumer Committee:

Representative Earl Lory

Representative Joe Quilici

Speaker Vincent appointed the following members to the Capitol Building and Planning Committee:

Representative Jan Brown

Representative Marian Hanson

Representative Kerry Keyser

Representative William Menahan

Representative Gerald Nisbet

Representative John Phillips

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

1/21/85

Correctly printed: HB 27, HB 161, HB 172.

Considered correctly engrossed: HB 9, HJR 3.

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman):

1/21/85

HB 144, introduced bill, be amended as follows:

1. Title, lines 7 and 8.

Following: "PAID"

Strike: remainder of line 7 through "END" on line 8

Insert: "BY JUNE 1"

2. Title, line 9.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 3, line 17.

Following: "paid"

Strike: "no later than the end"

Insert: "by June 1"

4. Page 5.

Following: line 3

Insert: "NEW SECTION. Section 2. Effective date. This act is effective July 1, 1985."

And, as amended, do pass. Report adopted.

HB 194, do pass. Report adopted.

HUMAN SERVICES AND AGING (Keenan, Chairman):

1/16/85

HB 114, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent

HB 114

A statement of intent is needed for House Bill 114 because it grants the department of health and environmental sciences express authority to adopt enforceable, binding rules setting safety standards for public swimming pools and bathing places.

The department presently has the authority to ensure that public swimming pools and bathing places are safe. However, the section of the law granting the department authority to make binding rules relating to swimming facilities omits mention of safety standards. Therefore, the rules the department has adopted to indicate the safety measures it considers necessary to protect public health are not legally binding, except in regard to pools in hotels, motels, roominghouses, tourist homes, boardinghouses, or retirement homes, for which the department has separate regulatory authority under other statutes.

Therefore, it is the intent of the legislature that the department of health and environmental sciences has express rulemaking authority to adopt binding safety standards for swimming pools and bathing places, including construction specifications and operational requirements such as lifeguards.

HB 202, do pass. Report adopted.

1/21/85

JUDICIARY (Hannah, Chairman):

1/22/85

HB 111, introduced bill, be amended as follows:

1. Title, line 5.

Following: "EDUCATION,"

Insert: "AND"

2. Title, line 6.

Strike: ", AND" through "PROGRAMS" on line 7

3. Page 3.

Following: line 21

Strike: subsection (vii) in its entirety

Renumber: subsequent subsections

4. Page 4, line 5.

Strike: "(ix)"

Insert: "(viii)"

5. Page 4, line 8.

Strike: "(ix)"

Insert: "(viii)"

6. Page 5, line 24.

Strike: "postsecondary" through "program,"

7. Page 6, line 7.

Following: "system,"

Insert: "a postsecondary vocational-technical center or program,"

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Darko, Chairman):

1/17/85

HB 59, introduced bill, be amended as follows:

1. Title, line 7.

Following: "FINES"

Insert: "FROM APPREHENSIONS AND ARRESTS MADE BY
THE HIGHWAY PATROL"

2. Page 1, line 19.

Strike: "shall"

Insert: "may"

3. Page 1.

Following: line 20

Insert: "(2) A municipality may participate in the program upon
such terms as may be agreed to between the governing bodies of the
county and municipality."

ReNUMBER: subsequent subsections

4. Page 3, line 6.

Strike: "one-half"

Insert: "27%"

5. Page 3, line 6.

Following: "fines"

Insert: "from persons apprehended or arrested by highway patrolmen
and"

6. Page 3, line 8.

Following: "61-8-401"

Strike: ", "

Insert: "or"

Following: "61-8-406"

Strike: ", or an ordinance enacted under"

7. Page 3, line 9.

Strike: "61-8-401(5)"

8. Page 3, line 13.

Following: "terminated,"

Insert: "any"

Following: "money"

Insert: "received pursuant to this section"

9. Page 3, line 14.

Strike: "may"

Insert: "shall"

10. Page 3, line 15.

Strike: "any account chosen by the governing body"

Insert: "the state general fund"

And, as amended, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
HB 59

Under 5-4-404, MCA, the legislature shall, by its joint rules, provide a procedure by which a statement of intent may be included with a bill that does not delegate authority.

This bill does not grant rulemaking authority.

It is the intent of the legislature that the governor's approval authority under section 1 and 61-2-105 be exercised by him through that official in the department of justice who administers highway traffic safety programs. It is also the intent of the legislature that the report required by section 2 to be submitted to the governor be submitted to him through such official and that such official exercise the governor's authority under section 2(2)(d)(v).

NATURAL RESOURCES (Iverson, Chairman):

1/21/85

HB 178, do pass. Report adopted.

HB 180, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Senate bills passed and transmitted to the House for concurrence: 1/21/85

SB 1, introduced by Christiaens

SB 20, introduced by Fuller

SB 57, introduced by Conover

SJR 4, introduced by Lane, Ellerd

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 308, introduced by Ramirez, Anderson. Referred to Committee on State Administration.

HB 309, introduced by Gilbert, (By Request of the Public Service Commission). Referred to Committee on Business and Labor.

HB 310, introduced by Waldron. Referred to Committee on Judiciary.

HB 311, introduced by Koehnke, Rapp-Svrcek, Lybeck, Manuel, Zabrocki, Hand, Devlin, Boylan, Galt, Hirsch, Harp. Referred to Committee on Taxation.

HB 312, introduced by Devlin. Referred to Committee on Natural Resources.

HB 313, introduced by Nathe, E. Smith. Referred to Committee on Judiciary.

HB 314, introduced by Cobb, Grady, Jenkins. Referred to Committee on Fish and Game.

HB 315, introduced by Rehberg, Addy, Sands, Holliday, Sales, J. Brown, Pistoria, O'Connell, Williams, Devlin. Referred to Committee on Taxation.

HB 316, introduced by Krueger, Abrams, Grady, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.

HB 317, introduced by Williams. Referred to Committee on Taxation.

HB 318, introduced by J. Hammond, Ream. Referred to Committee on Business and Labor.

HB 319, introduced by Devlin. Referred to Committee on Taxation.

HB 320, introduced by Waldron. Referred to Committee on Appropriations.

HB 321, introduced by Peck, Harbin, Raney, (By Request of the Department of Commerce). Referred to Committee on Business and Labor.

HB 322, introduced by J.K. Moore, Mercer, Cobb. Referred to Committee on Taxation.

- HB 323**, introduced by J.K. Moore, Swift, Thayer, Cobb. Referred to Committee on Judiciary.
- HB 324**, introduced by Grady, Thomas, Donaldson, Miles, Kolstad, Fuller, Patterson, Keyser, Campbell, Peck, Rehberg, Spaeth, Ream, Darko, Schultz, Driscoll, Phillips, Eudaily, Shaw, Montayne, Hand, J. Brown, Thayer, Farrell, Daniels, Brandewie, O'Hara, Cobb, Marks, Harper, Lory, Tveit, Thoft, Harbin, Raney, J. Moore, Lane, Bradley, Peterson, Gould, Gilbert. Referred to Committee on Education and Cultural Resources.
- HB 325**, introduced by J.K. Moore, Ernst, Boylan, Ellerd, Thayer, Vincent. Referred to Committee on Appropriations.
- HB 326**, introduced by Hannah. Referred to Committee on Taxation.
- HB 327**, introduced by Hannah. Referred to Committee on State Administration.
- HB 328**, introduced by Hannah. Referred to Committee on Local Government.
- HB 329**, introduced by Hannah, Spaeth. Referred to Committee on Business and Labor.
- HB 330**, introduced by Harper. Referred to Committee on Education and Cultural Resources.
- HB 331**, introduced by Quilici, J.K. Moore, Peck, Bachini. Referred to Committee on Highways and Transportation.
- HB 332**, introduced by Bradley, Wallin, Bachini. Referred to Committee on Judiciary.
- HB 333**, introduced by Bradley, Wallin, Bachini. Referred to Committee on Judiciary.
- HB 334**, introduced by Gould, Driscoll, Pavlovich, Gage, Mazurek. Referred to Committee on Business and Labor.
- HB 335**, introduced by Bradley, Wallin, Bachini, Waldron. Referred to Committee on Judiciary.
- HB 336**, introduced by Quilici, Lory, Harrington. Referred to Committee on State Administration.
- HB 337**, introduced by Miles, (By Request of the Public Employees' Retirement Board). Referred to Committee on State Administration.
- HB 338**, introduced by Addy, Jones, C. Smith, Lynch, Harp, Pavlovich, Mercer, Schultz, Bradley, Quilici, Daniels, D. Brown, Keating, Stimatz. Referred to Committee on Business and Labor.
- HB 339**, introduced by Ramirez, Mazurek, Addy, Rehberg, Hannah, Fritz, Harper, Eudaily. Referred to Committee on Taxation.
- HB 340**, introduced by Ramirez, Garcia. Referred to Committee on Judiciary.
- HB 341**, introduced by Miller. Referred to Committee on Judiciary.
- HB 342**, introduced by Lory, (By Request of the Department of Administration). Referred to Committee on Appropriations.
- HB 343**, introduced by J. Moore, (By Request of the Department of Administration). Referred to Committee on State Administration.
- HB 344**, introduced by Manuel. Referred to Committee on Appropriations.
- HB 345**, introduced by Spaeth, Schultz, Kitselman, (By Request of the Department of Commerce). Referred to Committee on State Administration.
- HB 346**, introduced by Gilbert, Schye, (By Request of the Department of Commerce). Referred to Committee on Taxation.
- HB 347**, introduced by Pistoria, McCormick, Garcia, R. Manning. Referred to Committee on Local Government.
- HB 348**, introduced by Pistoria, McCormick, Garcia. Referred to Committee on State Administration.

- HB 349**, introduced by Donaldson, Schultz, Ernst, Holliday, Hanson, B. Williams, Koehnke, Abrams, Manuel, (By Request of the Department of Agriculture). Referred to Committee on Agriculture.
- HB 350**, introduced by Schultz, Compton, Jenkins, Winslow, Holliday, Abrams, Koehnke, Manuel, (By Request of the Department of Agriculture). Referred to Committee on Agriculture.
- HB 351**, introduced by Schultz, (By Request of the Public Employees' Retirement Board). Referred to Committee on State Administration.
- HB 352**, introduced by Nelson. Referred to Committee on Judiciary.
- HB 353**, introduced by Nelson. Referred to Committee on Judiciary.
- HB 354**, introduced by Brandewie, Mercer, Harbin, Schye, McCallum. Referred to Committee on State Administration.
- HB 355**, introduced by Devlin, Switzer, Keyser, Patterson, Hanson, Ernst, Sales, Schultz, Iverson, Compton, Jenkins, Mercer, Phillips, Nathe, Thomas, Koehnke, Marks, Swift, Manuel, Abrams. Referred to Committee on Taxation.
- HB 356**, introduced by Brandewie, Grady, Harp, Driscoll, Hannah, Harbin, Schye. Referred to Committee on Highways and Transportation.
- HB 357**, introduced by Nisbet, Halligan, Cody, O'Connell, Zabrocki, Bachini, Pistoria. Referred to Committee on Judiciary.
- HB 358**, introduced by Kadas, Pinsoneault, Ream, Schye, J. Hammond, Garcia. Referred to Committee on Human Services and Aging.
- HB 359**, introduced by Nisbet, Miller, (By Request of the Department of Commerce). Referred to Committee on State Administration.
- HB 360**, introduced by J. Hammond, Garcia, Peck, Fuller, Kadas. Referred to Committee on Business and Labor.
- HB 361**, introduced by McCormick, (By Request of the Public Employees' Retirement Board). Referred to Committee on State Administration.
- HB 362**, introduced by Bardanouve, Marks, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.
- HB 363**, introduced by Marks. Referred to Committee on Judiciary.
- HB 364**, introduced by Miller. Referred to Committee on Taxation.
- HB 365**, introduced by Campbell, (By Request of the Department of Justice, Division of Motor Vehicles). Referred to Committee on Highways and Transportation.
- HB 366**, introduced by Ramirez, O'Connell, Keyser, Hanson, Boylan, Hayne, Goodover. Referred to Committee on Judiciary.
- HB 367**, introduced by Wallin. Referred to Committee on Business and Labor.
- HJR 10**, introduced by Bachini, Harper, Fuller, Christiaens, Connelly, Asay, Kadas, Lybeck, Ellison, Sands, Vincent, Thoft, O'Hara, Cody, J. Moore, Kolstad, Campbell, J. Hammond, Zabrocki, Miles, Peck, Bergene, McCormick, Miller, Nisbet, Van Valkenburg, Schultz, J. Brown, Swift, Hand, Harrington, Keenan, Darko, Bradley, Waldron, Blaylock, Koehnke, Nathe, R. Manning, Pistoria, Williams, Ream, Hansen, Menahan, Spaeth, Kennerly, Marks, O'Connell, Driscoll, Pavlovich, Howe, Bardanouve, Rapp-Svrcek, Addy, Hanson, Wallin, Fritz, Ramirez, Garcia, Harbin, Manuel, Schye, Poff, Switzer, Mazurek, Towe, Compton, Jenkins, Ernst, Phillips, Patterson, Lory, Keller, Eudaily, Raney. Referred to Committee on State Administration.

The following Senate bills were introduced, read first time, and referred to committees:

SB 1, introduced by Christiaens, (By Request of the Coal Tax Oversight Subcommittee). Referred to Committee on Local Government.

SB 20, introduced by Fuller. Referred to Committee on Local Government.

SB 57, introduced by Conover. Referred to Committee on Judiciary.

SJR 4, introduced by Lane, Ellerd. Referred to Committee on Agriculture.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Keenan in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Due to a breakdown in the voting machine, Speaker Vincent moved that HB 30 and HB 23 be placed below HB 62. Motion carried.

HB 62 - Representative Bradley moved that HB 62, second reading copy, be amended. Amendment failed on an oral roll call vote. (50-50)

Representative Bradley moved that HB 62 do pass. Motion failed on an oral roll call vote. (50-50)

Representative Harper moved that consideration of HB 62 be passed for the day. Motion carried. (52-45)

Representative Ellerd suggested that the House use a simple stand up vote procedure rather than oral roll call to save time and confusion.

HB 30 - Representative Ramirez moved that HB 30, second reading copy, be amended as follows:

1. Page 1, line 16.

Following: "after"

Insert: "written"

2. Page 1.

Following: line 19

Insert: "(2) The written notification or demand shall recite the facts and circumstances showing the failure of the taxpayer to file the return or report, must be sent by certified mail to the address of the taxpayer as shown on the records of the department and to any other address of the taxpayer known to the department, and shall inform the taxpayer that upon failure to receive the return or report within 60 days from the date of the notification or demand the department will seek an order to show cause in district court.

(3) A petition filed under the authority of subsection (1) must be verified and shall set forth in detail the facts and circumstances showing the failure of the taxpayer to file the return or report and the response, if any, of the taxpayer to the written notification and demand."

Renumber: subsequent subsections

3. Page 1, line 20.

Following: "a"

Insert: "verified"

4. Page 1, line 21.

Following: "shall"

Insert: "review the petition to determine if the department has made a prima facie showing that an order to show cause should be issued and, if such a showing has been made, shall"

5. Page 1, line 23.

Following: "cause"

Insert: ", at a special time and place,"

6. Page 1, line 25.

Following: "and"

Strike: "order may"

Insert: "a certified copy of the order must"

7. Page 2, line 1.

Following: "taxpayer"

Insert: ". Service may be made"

8. Page 2, line 3.

Following: "serve"

Insert: "a copy of the petition and a certified copy of the order on"

Following: "taxpayer"

Strike: "and shall collect the service fee from the taxpayer"

Insert: "pursuant to Rule 4D(2) or (3), M.R.Civ.P"

9. Page 2, line 5.

Strike: subsection (4) in its entirety

Insert: "(6) At the hearing on the order to show cause, evidence produced that the department's records show that the return or the report has not been filed is prima facie evidence that the return or report has not been filed.

(7) Upon finding by a preponderance of the evidence that the taxpayer has not filed the return or report as required by law, the court may issue a further order compelling the filing of the return or report, and the taxpayer's failure to comply with the order may thereafter be proceeded against as a contempt."

Amendment passed by a majority stand-up vote.

That HB 30, as amended, do pass. Motion carried by a majority stand-up vote.

HB 23 - That HB 23 do pass. Motion carried by a majority stand-up vote.

HB 125 - That HB 125 do pass. Motion carried by a majority stand-up vote.

HB 134 - That HB 134 do pass. Motion carried by a majority stand-up vote.

HB 187 - That HB 187 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Eudaily, Fritz, Garcia, Gilbert, Gould, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek,

Ream, Schye, Simon, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 66

Noes: Asay, Brandewie, Campbell, Cobb, Devlin, Ellerd, Ellison, Ernst, Glaser, Grady, Hannah, Hanson, Harp, Jones, Kitselman, Marks, Mercer, Miller, Nathe, Nelson, Patterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Smith, Spaeth, Swift, Switzer, Thoft, Thomas.

Total 33

Paired: Gould, Aye; Devlin, No.

Excused: J.K. Moore.

Total 1

Absent or not voting: None.

Total 0

HB 72 - That HB 72 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Cody, Hannah, Krueger, Nathe, Peck, Zabrocki.

Total 6

Excused: Gould, J.K. Moore.

Total 2

Absent or not voting: D. Brown, Connelly, Garcia.

Total 3

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Keenan moved the adoption of the committee report. Report adopted. (96-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 3 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips,

Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Gould, J.K. Moore.
Total 2

Absent or not voting: Garcia, Thomas.
Total 2

HB 9 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 89

Noes: Glaser, Hannah, Keyser, Koehnke, Peck, Phillips, Sands, Thoft.
Total 8

Excused: Gould, J.K. Moore.
Total 2

Absent or not voting: Thomas.
Total 1

HB 141 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Gould, J.K. Moore.
Total 2

Absent or not voting: None.
Total 0

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/22/85
 Correctly printed: HB 81, HB 96, HB 148, HB 174, HB 178, HB 180,
 HB 194, HB 195, HB 202.

JUDICIARY (Hannah, Chairman): 1/22/85

Adverse Committee Report

HB 193, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J. Moore, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
 Total 92

Noes: Connelly, Nelson.
 Total 2

Excused: Gould, J.K. Moore.
 Total 2

Absent or not voting: Ellison, Menahan, Nathe, Smith.
 Total 4

STATE ADMINISTRATION (Sales, Chairman): 1/22/85
HB 167, introduced bill, be amended as follows:

1. Title, line 5.
 Strike: "PERIODS"
 Insert: "PERIOD"
 Strike: "SNOWMOBILES AND"

2. Title, line 6.
 Strike: "PERIODS"
 Insert: "PERIOD"
 Strike: "SNOWMOBILE AND"

3. Title, line 7.
 Following: "23-2-513,"
 Insert: "AND"

4. Title, lines 7 and 8.
 Strike: "23-2-618," on line 7 through "23-2-619," on line 8

5. Page 8, line 10 through line 4, page 10.
 Strike: sections 4 and 5 in their entirety
 Renumber: subsequent sections

6. Page 10, line 10.
 Strike: "(1)"

7. Page 10, line 13.

Strike: "March"

Insert: "May"

8. Page 10, lines 16 through 20.

Strike: subsection (2) in its entirety

9. Page 10, line 24.

Strike: "7"

Insert: "5"

And, as amended, do pass. Report adopted.

HB 176, introduced bill, be amended as follows:

1. Title, lines 8 and 9.

Strike: "OR" on line 8 through "FUND" on line 9

2. Page 2, line 3.

Strike: "in" through "or"

3. Page 2, lines 4 and 5.

Strike: "as" on line 4 through "discretion" on line 5

Insert: "upon deposit in the general fund"

And, as amended, do pass. Report adopted.

HB 196, do pass. Report adopted.

Adverse Committee Report

HB 190, do not pass.

MOTIONS

Representative Pavlovich moved that HB 318 be taken from the Committee on Business and Labor and rereferred to the Committee on Human Services and Aging. Motion carried.

Representative Harrington moved that HB 301 be taken from the Committee on Education and Cultural Resources and rereferred to the Committee on Human Services and Aging. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Vincent reminded the members that the deadline for bill introduction is Friday, January 25. Exception will be granted for those bills still in process in the Legislative Council.

Representative Harper moved that the House adjourn until 1:00 p.m., January 23, 1985.

Motion carried.

House adjourned at 3:00 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

FIFTEENTH LEGISLATIVE DAY

Helena, Montana
January 23, 1985

House Chambers
State Capitol

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except J. Brown, Gould, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the fourteenth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/22/85
Correctly printed: HB 196.
Considered correctly engrossed: HB 23, HB 72, HB 125, HB 134, HB 187.

1/23/85
Correctly printed: HB 59, HB 111, HB 114, HB 144, HB 167, HB 176.
Correctly engrossed: HB 30.

LOCAL GOVERNMENT (Darko, Chairman): 1/22/85
HB 108, introduced bill, be amended as follows:

1. Page 2, lines 1 through 3.
Strike: "of \$10" on line 1 through "less," on line 3
2. Page 2, line 3.
Following: "less,"
Insert: "as may be agreed to"

And, as amended, do pass. Report adopted.

HB 154, do pass. Report adopted.

Adverse Committee Report

HB 133, introduced bill, be amended as follows:

1. Title, line 7.
Following: "SERVICES"
Insert: "FOR THE BOARD OF COUNTY COMMISSIONERS"
2. Page 1, line 16.
Following: "of the"
Insert: "board of"
Following: "county"
Insert: "commissioners"

And, as amended, do not pass.

RULES (Ramirez, Chairman): 1/22/85
HOUSE RULE H1-5, be amended as follows:

"H1-5. If the motions "do pass" and either "do not pass" or "indefinitely postpone" both fail on Second Reading, a motion to reconsider is in order in Committee of the Whole. If a motion to reconsider then fails, the bill shall be reported to the House as having failed to pass Second Reading."

And, as amended, be adopted. Report adopted by the following vote:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: D. Brown.

Total 1

Excused: J. Brown, Gould.

Total 2

Absent or not voting: Ellison, Menahan.

Total 2

MESSAGES FROM THE OTHER HOUSE

House bill concurred in and returned to the House: 1/22/85

HB 29, introduced by M. Williams

Senate bills passed and transmitted to the House for concurrence: 1/22/85

SB 27, introduced by Daniels

SB 77, introduced by Jacobson

SB 92, introduced by Christiaens, Swift, et al.

The Senate, on 1/22/85, failed to concur in House amendments to SJR 3 and appointed a free conference committee, requesting that the House appoint a like committee to confer on SJR 3.

The President appointed the following members:

Senator Van Valkenburg, Chairman

Senator Christiaens

Senator Stephens

MOTIONS

Representative J.K. Moore moved that Thomas and Bradley be added as sponsors to HB 325. Motion carried.

Representative Darko moved that Pavlovich, J. Brown, Addy, Miller, Christiaens, Eck, Pinsoneault, Thayer, Mohar, Haffey, and J. Moore be added as sponsors to HB 170. Motion carried.

Representative Connelly moved that Howe be added as a sponsor to HB 245. Motion carried.

Representative Connelly moved that Keyser be added as a sponsor to HB 238. Motion carried.

Representative D. Brown moved that Switzer be added as a sponsor to HB 122. Motion carried.

Representative Lory moved that Gould be added as a sponsor to HB 290. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

- HB 368**, introduced by Pistoria, O'Connell. Referred to Committee on Taxation.
- HB 369**, introduced by Pistoria, O'Connell. Referred to Committee on Taxation.
- HB 370**, introduced by Pistoria. Referred to Committee on Judiciary.
- HB 371**, introduced by Simon, Kitselman, Eudaily, Addy, J. Brown, Kadas, Bergene, Schye, Keating, Zabrocki, Quilici, Pistoria, Spaeth, Miles. Referred to Committee on Business and Labor.
- HB 372**, introduced by Grady, Jenkins, Spaeth, Holliday, Patterson, Donaldson, Koehnke, Marks, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on State Administration.
- HB 373**, introduced by Nathe. Referred to Committee on Local Government.
- HB 374**, introduced by Waldron, B. Brown. Referred to Committee on Taxation.
- HB 378**, introduced by Donaldson, (By Request of the Department of Labor and Industry). Referred to Committee on Business and Labor.
- HB 379**, introduced by Garcia, Abrams, Campbell, Ramirez. Referred to Committee on Local Government.
- HB 380**, introduced by Bradley, Ramirez, Schye, D. Brown, Christiaens, Mazurek. Referred to Committee on Judiciary.
- HB 381**, introduced by Ream, Van Valkenburg, (By Request of the Office of Public Instruction). Referred to Committee on Appropriations.
- HB 382**, introduced by Harp, Driscoll. Referred to Committee on Local Government.
- HB 383**, introduced by Nathe, Harp, Menahan, Bardanouve, Raney, Harbin, Iverson, Keyser, E. Smith, Ellison, Switzer, Harper, Peck, Holliday, Poff, Cody, Fritz, Tveit, H. Hammond, Towe, Jenkins, Bengtson, Patterson, Quilici, Abrams, Brandewie, Thoft. Referred to Committee on Highways and Transportation.
- HB 384**, introduced by Bergene. Referred to Committee on Local Government.
- HB 385**, introduced by Bergene. Referred to Committee on Local Government.
- HB 386**, introduced by Bradley. Referred to Committee on Agriculture.
- HB 387**, introduced by Addy, (By Request of the Department of Labor and Industry). Referred to Committee on Business and Labor.
- HB 388**, introduced by Cobb. Referred to Committee on Fish and Game.
- HB 389**, introduced by Eudaily, (By Request of the Public Employees' Retirement Board). Referred to Committee on State Administration.
- HB 390**, introduced by Cody. Referred to Committee on Judiciary.
- HB 391**, introduced by Harper. Referred to Committee on Business and Labor.
- HB 392**, introduced by Waldron, Addy, Miles. Referred to Committee on Taxation.
- HB 393**, introduced by Waldron, Addy. Referred to Committee on Local Government.

- HB 394**, introduced by D. Brown, Krueger. Referred to Committee on State Administration.
- HB 395**, introduced by D. Brown, Pavlovich. Referred to Committee on Judiciary.
- HB 396**, introduced by Spaeth, Ramirez, Holliday, Hanson, Boylan, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.
- HB 397**, introduced by Jones, Ellison, Tveit, Ellerd, Brandewie, Sales, Switzer, Swift, C. Smith, Compton. Referred to Committee on Education and Cultural Resources.
- HB 398**, introduced by Kadas. Referred to Committee on State Administration.
- HB 399**, introduced by Jones, C. Smith, Tveit. Referred to Committee on Education and Cultural Resources.
- HB 400**, introduced by Grady. Referred to Committee on Judiciary.
- HB 401**, introduced by Manuel, (By Request of the Milk Control Bureau). Referred to Committee on State Administration.
- HB 402**, introduced by Wallin, Bradley, Brandewie, Pavlovich, J. Brown, Harp, Patterson. Referred to Committee on Business and Labor.
- HB 403**, introduced by Harp, Quilici, (By Request of the Department of Highways). Referred to Committee on Highways and Transportation.
- HB 404**, introduced by Harp, Hannah. Referred to Committee on Business and Labor.
- HB 405**, introduced by Driscoll, Keenan, D. Brown, Fuller, Regan, R. Manning, Harrington. Referred to Committee on Education and Cultural Resources.
- HB 406**, introduced by Ream, (By Request of the Department of Fish, Wildlife, and Parks). Referred to Committee on Fish and Game.
- HB 407**, introduced by Ream, Halligan, Miles, Ramirez, Kadas, Addy, Sands, Fritz, Garcia, Waldron, Hansen, Winslow. Referred to Committee on Local Government.
- HB 408**, introduced by Spaeth, D. Brown, Krueger. Referred to Committee on Judiciary.
- HB 409**, introduced by Hansen, Waldron, Fritz, Lory, Asay, Manuel, Simon. Referred to Committee on State Administration.
- HB 410**, introduced by Harp, Mazurek. Referred to Committee on Taxation.
- HB 411**, introduced by Hayne, (By Request of the Office of Public Instruction). Referred to Committee on Appropriations.
- HB 412**, introduced by Hayne, (By Request of the Office of Public Instruction). Referred to Committee on Education and Cultural Resources.
- HB 413**, introduced by Kadas. Referred to Committee on Judiciary.
- HB 414**, introduced by Iverson, Aklestad. Referred to Committee on Local Government.
- HB 415**, introduced by Keller, (By Request of the Office of Public Instruction). Referred to Committee on Education and Cultural Resources.
- HB 416**, introduced by Keller, (By Request of the Office of Public Instruction). Referred to Committee on Education and Cultural Resources.
- HB 417**, introduced by Compton, (By Request of the Office of Public Instruction). Referred to Committee on Education and Cultural Resources.
- HB 418**, introduced by Harp. Referred to Committee on Business and Labor.

- HB 419**, introduced by Brandewie, Schye, Compton, C. Smith, Fuller, Asay, Jones, (By Request of the Department of Commerce). Referred to Committee on State Administration.
- HB 420**, introduced by Schye, Compton, C. Smith, Jones, Fuller, Asay, (By Request of the Department of Commerce). Referred to Committee on Business and Labor.
- HB 421**, introduced by Brandewie, Schye, Compton, C. Smith, H. Hammond, Fuller, Asay, E. Smith, Jones, (By Request of the Department of Commerce). Referred to Committee on State Administration.
- HB 422**, introduced by Swift, Marks, (By Request of the Board of Water Well Contractors). Referred to Committee on Business and Labor.
- HB 423**, introduced by Gilbert, Schye, H. Hammond, Hanson, E. Smith, (By Request of the Department of Commerce). Referred to Committee on State Administration.
- HB 424**, introduced by Howe, (By Request of the Department of Justice, Motor Vehicle Division). Referred to Committee on Highways and Transportation.
- HB 425**, introduced by Spaeth, Addy. Referred to Committee on Judiciary.
- HB 426**, introduced by Spaeth, (By Request of the Public Service Commission). Referred to Committee on Judiciary.
- HB 427**, introduced by Addy, Driscoll. Referred to Committee on State Administration.
- HB 428**, introduced by Miles, (By Request of the Department of Labor and Industry). Referred to Committee on Business and Labor.
- HB 429**, introduced by Hand, Koehnke, Galt. Referred to Committee on Business and Labor.
- HB 430**, introduced by Bradley, Norman, Christiaens, Harper, Mazurek, J. Brown, Lory, Grady, Hayne, Winslow, Peterson, Miles, Hager. Referred to Committee on Appropriations.
- HB 431**, introduced by Nathe. Referred to Committee on Local Government.
- HB 432**, introduced by Gilbert, (By Request of the Office of Public Instruction). Referred to Committee on Education and Cultural Resources.
- HB 433**, introduced by Grady, Donaldson, J. Brown, Cobb, Krueger, Harbin, Raney. Referred to Committee on Appropriations.
- HB 434**, introduced by Schye, Switzer, Devlin, Cody, Abrams, Zabrocki, Iverson, Compton, Jenkins, Patterson, O'Hara, Koehnke, Thomas, Nathe, Harp, Bachini, Mohar, Manuel, Donaldson, Conover, Tveit, E. Smith. Referred to Committee on Natural Resources.
- HB 435**, introduced by J. Brown, Montayne, Kadas, Christiaens, J. Hammond, Hansen. Referred to Committee on Business and Labor.
- HB 436**, introduced by Lory. Referred to Committee on Local Government.
- HB 437**, introduced by Addy, Winslow, Pistoria. Referred to Committee on Business and Labor.
- HB 438**, introduced by J. Brown, Bergene, Christiaens, (By Request of the Department of Revenue). Referred to Committee on Judiciary.
- HB 439**, introduced by J. Brown, Bergene, (By Request of the Department of Revenue). Referred to Committee on Judiciary.
- HB 440**, introduced by J. Brown, Bergene, Christiaens, (By Request of the Department of Revenue). Referred to Committee on Judiciary.
- HB 441**, introduced by J. Brown, Bergene, Christiaens, (By Request of the Department of Revenue). Referred to Committee on Judiciary.
- HB 442**, introduced by J. Brown, Bergene, (By Request of the Department of Revenue). Referred to Committee on Judiciary.

- HB 443**, introduced by J. Brown, Bergene, Christiaens, (By Request of the Department of Revenue). Referred to Committee on Judiciary.
- HB 444**, introduced by J. Brown, Bergene, Christiaens, (By Request of the Department of Revenue). Referred to Committee on Judiciary.
- HB 445**, introduced by J. Brown, Christiaens, (By Request of the Department of Revenue). Referred to Committee on Judiciary.
- HB 446**, introduced by J. Brown, Christiaens, (By Request of the Department of Revenue). Referred to Committee on Judiciary.
- HB 447**, introduced by J. Brown, Bergene, Christiaens, (By Request of the Department of Revenue). Referred to Committee on Judiciary.
- HB 448**, introduced by J. Brown, (By Request of the Department of Revenue). Referred to Committee on Judiciary.
- HB 449**, introduced by Thomas, B. Brown. Referred to Committee on Education and Cultural Resources.
- HB 450**, introduced by Thomas. Referred to Committee on Business and Labor.
- HB 451**, introduced by Thomas, Swift, Sales, Miller, Nathe, J.K. Moore, Keyser, Marks, Hannah, Ellison, Devlin, Phillips, Pistoria, Thoft, Brandewie. Referred to Committee on State Administration.
- HB 452**, introduced by Rapp-Svrcek, Harp, Raney, Harbin, Connelly, Hager, Lybeck, B. Brown, (By Request of the Department of Commerce). Referred to Committee on Highways and Transportation.
- HB 453**, introduced by Bradley. Referred to Committee on Business and Labor.
- HB 454**, introduced by Jenkins, Grady. Referred to Committee on Education and Cultural Resources.
- HB 455**, introduced by Cohen, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Human Services and Aging.
- HJR 11**, introduced by Cohen, Van Valkenburg, Rapp-Svrcek, Miles, J. Moore, Cody, Zabrocki, J. Hammond, B. Williams, McCormick, Harrington, O'Connell, Menahan, Howe, Kennerly, Raney, Connelly, Cobb, Keenan, Fritz, Driscoll, Hart, Bradley, Kadas, Hansen, Vincent, Montayne, Schye, Harper, Waldron, J. Brown, Blaylock, Peck, Darko, Ream, Spaeth, Bardanouve, Addy, D. Brown, Garcia, Krueger, Towe, Jacobson, Lynch, Lane, Harbin, Nisbet, Poff, Bachini, Pistoria, Koehnke. Referred to Committee on Human Services and Aging.
- HJR 12**, introduced by Thomas, Boylan, B. Brown. Referred to Committee on Education and Cultural Resources.
- HJR 13**, introduced by Winslow, D. Brown, Schultz, Simon, Rehberg, Patterson, Mercer, Marks, Swift, Thomas, Nathe, Donaldson. Referred to Committee on Business and Labor.

The following Senate bills were introduced, read first time, and referred to committees:

- SB 27**, introduced by Daniels, (By Request of Joint Interim Subcommittee No. 3). Referred to Committee on Judiciary.
- SB 77**, introduced by Jacobson. Referred to Committee on Appropriations.
- SB 92**, introduced by Christiaens, Swift, Connelly, Lane, Kadas, J. Brown, Harrington, Lynch, Williams. Referred to Committee on Local Government.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Devlin in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 62 - That HB 62 do pass. Motion failed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 50

Noes: Asay, Bergene, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 50

Paired: J. Brown, Quilici, Ayes; Gould, Keyser, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

That HB 62 do not pass. Motion failed as follows:

Ayes: Asay, Bergene, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 50

Noes: Abrams, Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 50

Paired: Gould, Keyser, Ayes; J. Brown, Quilici, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Harper moved that the committee reconsider its action in failing to pass HB 62. Motion failed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas,

Keenan, Kennerly, Koehnke, Krueger, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 50

Noes: Asay, Bergene, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 50

Paired: J. Brown, Quilici, Ayes; Gould, Keyser, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

According to House Rule 1-5, HB 62 has failed to pass second reading.

HB 137 - That HB 137 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Harp.

Total 1

Excused: Gould.

Total 1

Absent or not voting: O'Connell, O'Hara.

Total 2

HB 143 - Representative Donaldson moved that HB 143, second reading copy, be amended as follows:

1. Page 1, line 16.

Strike: "approve" through "architects" on line 17

Insert: "accept plans, specifications, and cost estimates"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah,

Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 97

Noes: None.

Total 0

Excused: Gould.

Total 1

Absent or not voting: O'Connell, Waldron.

Total 2

That HB 143, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 94

Noes: None.

Total 0

Excused: Gould.

Total 1

Absent or not voting: Ellison, Hammond, Hansen, Pavlovich, Waldron.

Total 5

HB 147 - That HB 147 do pass. Motion failed as follows:

Ayes: D. Brown, Campbell, Donaldson, Driscoll, Ellerd, Eudaily, Fritz, Garcia, Hand, Hansen, Harbin, Harrington, Hart, Howe, Jenkins, Jones, Kadas, Keenan, Kennerly, Krueger, Lory, Manuel, Menahan, Miles, Montayne, Poff, Quilici, Ream, Sales, Waldron, Williams, Mr. Speaker.
Total 32

Noes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Ellison, Ernst, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Keller, Keyser, Kitselman, Koehnke, McCormick, Marks, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki.

Total 68

Paired: Quilici, Aye; Gould, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

That HB 147 do not pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Ellison, Ernst, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Krueger, McCormick, Marks, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki.

Total 73

Noes: Campbell, Donaldson, Driscoll, Ellerd, Eudaily, Fritz, Garcia, Hand, Hansen, Harbin, Harrington, Hart, Howe, Kadas, Keenan, Kennerly, Lory, Manuel, Menahan, Montayne, Poff, Quilici, Ream, Sales, Waldron, Williams, Mr. Speaker.

Total 27

Paired: Gould, Aye; Quilici, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 150 - That HB 150 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Donaldson, Ellerd, Ernst, Fritz, Garcia, Glaser, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Miller, J.K. Moore, J. Moore, Nathe, Nelson, O'Hara, Peck, Peterson, Phillips, Pistoria, Poff, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 71

Noes: Asay, Bachini, D. Brown, Cohen, Devlin, Driscoll, Ellison, Eudaily, Gilbert, Hannah, Harper, Harrington, Jones, Koehnke, Manuel, Marks, Menahan, Mercer, Miles, Montayne, Nisbet, O'Connell, Patterson, Pavlovich, Quilici, Ramirez, Schultz, Switzer.

Total 28

Excused: Gould.

Total 1

Absent or not voting: None.

Total 0

HB 163 - That HB 163 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko,

Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: Cobb, Glaser, Hannah, Keyser, J.K. Moore, Nathe, Peck, Swift, Thomas.

Total 9

Excused: Gould.

Total 1

Absent or not voting: Bardanouve.

Total 1

HB 182 - That HB 182 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Gould.

Total 1

Absent or not voting: Bardanouve, Keyser.

Total 2

SJR 1 - That SJR 1 be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Gould.

Total 1

Absent or not voting: Bardanouve.

Total 1

HB 27 - That HB 27 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Asay, Brandewie, Devlin, Glaser, Nathe, Sales.

Total 6

Excused: Gould.

Total 1

Absent or not voting: None.

Total 0

HB 161 - Representative Winslow moved that HB 161, second reading copy, be amended as follows:

1. Page 3, line 1.

Following: "candidate,"

Insert: "unless special circumstances such as a candidate's physical disability are clearly present,"

2. Page 3, line 2.

Following: "that"

Insert: "for the general election"

3. Page 4.

Following: line 15

Insert: "(6) The limitations of this section shall be multiplied by the inflation factor, as defined in 15-30-101(8), for the year in which general elections are held after 1986. The commissioner of political practices shall publish the revised limitations as a rule."

Amendment passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff,

Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 86

Noes: Asay, Cody, Grady, Hayne, Marks, J.K. Moore, O'Connell, Switzer.

Total 8

Excused: Gould.

Total 1

Absent or not voting: D. Brown, Hansen, Kadas, Mercer, Nisbet.

Total 5

Representative Winslow moved that HB 161, as amended, do pass.

Representative Spaeth made a substitute motion that HB 161, second reading copy, be further amended as follows:

1. Page 3, line 17.

Following: "judge."

Strike: "\$10,000"

Insert: "\$30,000"

Amendment passed as follows:

Ayes: Abrams, Addy, Bardanouve, Bergene, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Jenkins, Jones, Kadas, Keenan, Krueger, McCormick, Manuel, Marks, Menahan, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sands, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Mr. Speaker.

Total 60

Noes: Asay, Bachini, Bradley, Connelly, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Hanson, Hayne, Iverson, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, Miles, Nelson, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Rapp-Svrcek, Sales, Schultz, Schye, Switzer, Winslow, Zabrocki.

Total 37

Excused: Gould.

Total 1

Absent or not voting: Mercer, Simon.

Total 2

Representative D. Brown moved that HB 161, second reading copy, be further amended as follows:

1. Page 1, line 25.

Strike: "\$250"

Insert: "\$500"

Amendment passed as follows:

Ayes: Abrams, Asay, Bardanouve, Brandewie, D. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Eudaily, Gilbert, Grady, Hand, Hannah, Harp, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Keyser, Kitselman, Krueger, Lory, McCormick, Menahan, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Pavlovich, Peterson, Pistoria, Poff, Quilici, Rapp-Svrcek, Rehberg, Sales, Sands, Smith, Spaeth, Thoft, Wallin, Zabrocki.

Total 55

Noes: Addy, Bachini, Bergene, Bradley, J. Brown, Cohen, Devlin, Ellison, Ernst, Fritz, Garcia, Glaser, Hammond, Hansen, Hanson, Harbin, Harper, Howe, Kadas, Keenan, Keller, Kennerly, Koehnke, Manuel, Marks, Mercer, Miles, Nelson, Patterson, Peck, Phillips, Ramirez, Raney, Ream, Schultz, Schye, Simon, Swift, Switzer, Thomas, Waldron, Williams, Winslow, Mr. Speaker.

Total 44

Excused: Gould.

Total 1

Absent or not voting: None.

Total 0

That HB 161, as amended, do pass. Motion failed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cobb, Cohen, Connelly, Darko, Donaldson, Ernst, Eudaily, Fritz, Garcia, Hammond, Hansen, Hanson, Harbin, Harrington, Hart, Kadas, Keenan, Kennerly, Koehnke, Krueger, Lory, Manuel, Menahan, Miles, J. Moore, O'Hara, Peck, Peterson, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Schye, Simon, Spaeth, Thomas, Waldron, Williams, Winslow, Mr. Speaker.

Total 49

Noes: Asay, Brandewie, Campbell, Cody, Compton, Devlin, Driscoll, Ellerd, Ellison, Gilbert, Glaser, Grady, Hand, Hannah, Harp, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, McCormick, Marks, Mercer, Miller, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Ramirez, Rehberg, Sands, Schultz, Smith, Swift, Switzer, Thoft, Wallin, Zabrocki.

Total 49

Excused: Gould.

Total 1

Absent or not voting: Harper.

Total 1

That HB 161, as amended, do not pass. Motion failed as follows:

Ayes: Asay, Brandewie, Campbell, Cody, Compton, Devlin, Driscoll, Ellison, Gilbert, Glaser, Grady, Hand, Hannah, Harp, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, McCormick, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Ramirez, Rehberg, Sands, Schultz, Smith, Swift, Switzer, Thoft, Wallin, Zabrocki.

Total 49

Noes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cobb, Cohen, Connelly, Darko, Donaldson, Ellerd, Ernst, Eudaily, Fritz, Garcia, Hammond, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Kadas, Keenan, Kennerly, Koehnke, Krueger, Lory, Manuel, Menahan, Miles, Montayne, J. Moore, Peck, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Schye, Simon, Spaeth, Thomas, Waldron, Williams, Winslow, Mr. Speaker.

Total 50

Excused: Gould.

Total 1

Absent or not voting: None.

Total 0

Representative Harper moved that the committee reconsider its action in failing to pass HB 161. Motion carried. (53-46)

That HB 161, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cobb, Cohen, Connelly, Darko, Donaldson, Ernst, Eudaily, Fritz, Garcia, Hammond, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Kadas, Keenan, Kennerly, Koehnke, Krueger, Lory, Manuel, Menahan, Miles, Montayne, J. Moore, Peck, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Schye, Simon, Spaeth, Thomas, Waldron, Williams, Winslow, Mr. Speaker.

Total 50

Noes: Asay, Brandewie, Campbell, Cody, Compton, Devlin, Driscoll, Ellerd, Ellison, Gilbert, Glaser, Grady, Hand, Hannah, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, McCormick, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Ramirez, Rehberg, Sands, Schultz, Smith, Swift, Switzer, Thoft, Wallin, Zabrocki.

Total 49

Excused: Gould.

Total 1

Absent or not voting: None.

Total 0

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Devlin moved the adoption of the committee report. Report adopted. (91-5)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 23 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Gould.

Total 1

Absent or not voting: None.

Total 0

HB 72 passed as follows:

Ayes: Abrams, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: Addy, Asay, D. Brown, Cody, Cohen, Hannah, Keenan, Krueger, Menahan, Peck, Poff, Quilici.

Total 12

Excused: Gould.

Total 1

Absent or not voting: None.

Total 0

HB 125 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Gould.

Total 1

Absent or not voting: None.

Total 0

HB 134 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe,

Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Gould.
Total 1

Absent or not voting: None.
Total 0

HB 187 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Garcia, Gilbert, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nisbet, O'Connell, O'Hara, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Schye, Simon, Waldron, Wallin, Williams, Winslow, Mr. Speaker.
Total 69

Noes: Asay, Brandewie, Campbell, Cobb, Ellerd, Ellison, Ernst, Glaser, Grady, Hannah, Hanson, Jones, Marks, Mercer, Nathe, Nelson, Patterson, Peck, Rehberg, Sales, Sands, Schultz, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Zabrocki.
Total 29

Excused: Gould.
Total 1

Absent or not voting: Hart.
Total 1

MOTIONS

Representative Harper moved that the Speaker be authorized to appoint a free joint conference committee to meet with a like committee from the Senate to confer on SJR 3. Motion carried.

Representative Kitselman moved that O'Connell, M. Williams, McCormick, Bachini, O'Hara, Peck, Harrington, Ream, J. Hammond, C. Smith, Hand, Hanson, J. Brown, Pistoria, Koehnke, Bradley, Hansen, Waldron, Thoft, Vincent, Ellison, Ramirez, Marks, Campbell, Jones, J. Moore, Raney, Keyser, Harbin, Darko, Wallin, Mercer, Brandewie, Grady, Glaser, Sales, Nathe, Thomas, Swift, Spaeth, Howe, Kennerly, Donaldson, Zabrocki, Fritz, Pavlovich, Manuel, Driscoll, Montayne, Eudaily, Lory, Keller, Rehberg, Compton, Peterson, Hart, Hayne, Iverson, Quilici, Cohen, Abrams, Ernst, Schultz, Krueger, D. Brown, Nisbet, Cody, Switzer, Cobb, Schye, Poff, Rapp-Svrcek, Menahan, Bergene, Harp, and Gould be added as sponsors to HJR 8. Motion carried.

Representative Krueger moved that his vote on HB 72, third reading today, be changed from yes to no. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

1/23/85

Correctly printed: HB 34, HB 154.

FISH AND GAME (Ream, Chairman):

1/22/85

HB 136, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "CHANGE"

Insert: "TRANSFER"

Following: "OWNERSHIP"

Insert: "FROM A REGISTERED BOAT DEALER OR MANUFACTURER"

2. Page 2, line 11.

Strike: "change"

Insert: "transfer"

3. Page 2, line 12.

Following: "a motorboat"

Strike: "from a registered boat dealer or manufacturer"

4. Page 2, line 14.

Strike: "change"

Insert: "transfer"

5. Page 2, line 18.

Strike: "change"

Insert: "transfer"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

1/23/85

HB 197, introduced bill, be amended as follows:

1. Title, line 8.

Strike: "IMMEDIATE"

2. Page 1, line 21.

Following: "death"

Insert: "on or after July 1, 1985,"

3. Page 1, line 24.

Following: "death"

Insert: "on or"

Strike: "February 27, 1971"

Insert: "July 1, 1985"

4. Page 2, line 2.

Following: "death"

Insert: "on or after July 1, 1985,"

5. Page 2, line 5.

Following: "death"

Insert: "on or after July 1, 1985,"

6. Page 2, lines 5 and 6.

Strike: "after" on line 5 through "and" on line 6

7. Page 2, line 24.

Strike: "on" through "approval"

Insert: "July 1, 1985"

And, as amended, do pass. Report adopted.

HJR 8, do pass. Report adopted.

Adverse Committee Reports

HB 218, do not pass.

HB 190, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 89

Noes: Bardanoue, Connelly, Fritz, Harper, Kadas, Lory, Ream, Waldron.
Total 8

Excused: Gould.
Total 1

Absent or not voting: Campbell, Hansen.
Total 2

TAXATION (Devlin, Chairman): 1/23/85
HB 34, do pass. Report adopted.

UNFINISHED BUSINESS

The Speaker appointed the following free joint conference committee to meet with a like committee from the Senate to confer on SJR 3:

Representative Harper, Chairman
Representative Marks
Representative Vincent
Representative Ramirez

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 1:00 p.m., January 24, 1985.

Motion carried.

House adjourned at 3:20 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

SIXTEENTH LEGISLATIVE DAY

Helena, Montana
January 24, 1985

House Chambers
State Capitol

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by Father Jim Reeves. Pledge of Allegiance to the Flag.

Roll call. All members present except Gould, Kennerly, Ramirez, Williams, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/23/85
Correctly printed: HB 108.
Considered correctly engrossed: HB 163.

1/24/85
Correctly printed: HB 129, HB 136, HB 197, HB 226, HJR 8.
Considered correctly engrossed: HB 27, HB 137, HB 150, HB 182.
Correctly engrossed: HB 143, HB 161.
Correctly enrolled: HB 29.
Examined by the sponsor (Williams) and found to be correct: HB 29.

BUSINESS AND LABOR (Pavlovich, Chairman): 1/23/85
HB 226, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman):
1/23/85
HB 129, do pass. Report adopted.

JUDICIARY (Hannah, Chairman): 1/23/85
HB 200, introduced bill, be amended as follows:

1. Title, line 6.
Following: "UNTIL"
Insert: "30 DAYS AFTER COMPLETION OF THE MONTANA
STATE PRISON ADDITION OR"
Following: "JULY 1, 1987,"
Insert: "WHICHEVER IS EARLIER"
2. Page 1, line 15.
Following: "terminate"
Strike: "on"
Insert: "30 days after the prison housing units funded in HB 833 of
the 48th legislature are occupied, but in no event shall that date
extend beyond"

And, as amended, do pass. Report adopted.

HB 246, do pass. Report adopted. 1/24/85
HB 286, introduced bill, be amended as follows:

1. Page 3, line 4.
Following: "provided"
Strike: "and" through "case" on line 8
2. Page 3.
Following: line 8
Strike: section 5 in its entirety

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 207, do not pass.

1/23/85

LOCAL GOVERNMENT (Darko, Chairman):

1/24/85

Adverse Committee Report

HB 133, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 88

Noes: Bachini, Hansen, Kadas, Nathe, Peck, Spaeth, Waldron.

Total 7

Excused: Gould, Kennerly, Ramirez, Williams.

Total 4

Absent or not voting: Quilici.

Total 1

MESSAGES FROM THE OTHER HOUSE

Senate bills passed and transmitted to the House for concurrence: 1/23/85

SB 37, introduced by Mazurek

SB 59, introduced by Towe

SB 80, introduced by Jacobson

SB 95, introduced by Lynch

SB 96, introduced by Gage

SJR 5, introduced by Mazurek

MOTIONS

Representative Hannah moved that HB 366, the unisex insurance bill, be taken from the Committee on Judiciary and rereferred to the Committee on Business and Labor. Motion failed. (41-53)

Representative Pavlovich moved that HB 435 be taken from the Committee on Business and Labor and rereferred to the Committee on Human Services and Aging. Motion carried.

Representative Pavlovich moved that the rules be temporarily suspended to allow him to introduce a bill late. Motion carried.

Representative Ellison moved that HB 19 be taken from second reading and referred to the Committee on Highways and Transportation.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

- HB 375**, introduced by Bardanoue, (By Request of the Department of Administration). Referred to Committee on Appropriations.
- HB 376**, introduced by Driscoll. Referred to Committee on Appropriations.
- HB 377**, introduced by J.K. Moore, H. Hammond, Sales. Referred to Committee on Appropriations.
- HB 456**, introduced by J. Brown, Bergene, Christiaens, Miles, (By Request of the Department of Revenue). Referred to Committee on Judiciary.
- HB 457**, introduced by Nathe, Campbell. Referred to Committee on Local Government.
- HB 458**, introduced by Peck, McCormick, Manuel. Referred to Committee on Business and Labor.
- HB 459**, introduced by Switzer, (By Request of the Department of Livestock). Referred to Committee on Agriculture.
- HB 460**, introduced by Thomas, Simon, (By Request of the Department of Commerce). Referred to Committee on Business and Labor.
- HB 461**, introduced by Bradley, Winslow. Referred to Committee on State Administration.
- HB 462**, introduced by Donaldson, Marks, Koehnke, Mazurek, Fuller, Campbell. Referred to Committee on Business and Labor.
- HB 463**, introduced by Marks, Pistoria, Hannah, Harp, O'Hara, J. Brown, Brandewie, Keyser, Thoft, Ellerd, Rapp-Svrcek, Thomas, Swift. Referred to Committee on State Administration.
- HB 464**, introduced by Marks, Pistoria, Hannah, Harp, O'Hara, J. Brown, Koehnke, Keyser, Brandewie, Thoft, Ellerd, Rapp-Svrcek, Thomas, Swift. Referred to Committee on State Administration.
- HB 465**, introduced by Hansen, D. Brown, Kadas, Halligan, Harper, Hart, Lory, Eudaily. Referred to Committee on Local Government.
- HB 466**, introduced by J. Brown. Referred to Committee on Business and Labor.
- HB 467**, introduced by Hannah, Marks, Campbell. Referred to Committee on Judiciary.
- HB 468**, introduced by Addy. Referred to Committee on Business and Labor.
- HB 469**, introduced by Zabrocki, Hansen, Peck, J. Moore, J. Brown, Pistoria, O'Connell, Miles, Schye, Cody, Fritz, Addy, Brandewie, Kadas, Keller, Gilbert, Garcia, Raney, Harbin, Montayne, Koehnke. Referred to Committee on Taxation.
- HB 470**, introduced by Spaeth. Referred to Committee on Local Government.

The following Senate bills were introduced, read first time, and referred to committees:

- SB 37**, introduced by Mazurek, (By Request of the Revenue Oversight Committee). Referred to Committee on Taxation.
- SB 59**, introduced by Towe. Referred to Committee on State Administration.
- SB 80**, introduced by Jacobson. Referred to Committee on Judiciary.
- SB 95**, introduced by Lynch, (By Request of the Department of Labor and Industry). Referred to Committee on Business and Labor.
- SB 96**, introduced by Gage. Referred to Committee on Natural Resources.
- SJR 5**, introduced by Mazurek, Fuller, Haffey, Miles, J. Brown, Grady, Harper, Marks, Donaldson. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative D. Brown in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 172 - That HB 172 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Gould, Kennerly, Ramirez, Williams.

Total 4

Absent or not voting: Driscoll, Harrington.

Total 2

HB 81 - That HB 81 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Gould, Kennerly, Ramirez, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 96 - That HB 96 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton,

Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Gould, Kennerly, Ramirez, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 148 - Representative Spaeth moved that HB 148, statement of intent, be amended as follows:

1. Statement of intent, line 11.

Strike: "a schedule of"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Gould, Kennerly, Ramirez, Williams.

Total 4

Absent or not voting: Hannah, O'Connell, Zabrocki.

Total 3

That HB 148, with amended statement of intent, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet,

O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Harbin, Raney.

Total 2

Excused: Gould, Kennerly, Ramirez, Williams.

Total 4

Absent or not voting: None.

Total 0

Representative Ramirez present at this time.

HB 174 - That HB 174 do pass. Motion failed as follows:

Ayes: Asay, Bradley, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Hanson, Harp, Hayne, Howe, Jones, Kadas, Keller, Keyser, Kitselman, Koehnke, Lory, Mercer, Miller, J.K. Moore, Nathe, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Schultz, Simon, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 45

Noes: Abrams, Addy, Bachini, Bardanouve, Bergene, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Iverson, Jenkins, Keenan, Kennerly, Krueger, McCormick, Manuel, Marks, Menahan, Miles, Montayne, J. Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sands, Schye, Smith, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 55

Paired: Asay, Gould, Rehberg, Ayes; Kennerly, Menahan, Williams, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

That HB 174 do not pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Iverson, Jenkins, Kadas, Keenan, Kennerly, Krueger, McCormick, Manuel, Marks, Menahan, Miles, Montayne, J. Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sands, Schye, Smith, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 56

Noes: Asay, Bradley, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Hanson, Hayne, Howe, Jones, Keller, Keyser, Kitselman, Koehnke, Lory, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Schultz, Simon, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 44

Paired: Kennerly, Menahan, Williams, Ayes; Asay, Gould, Rehberg, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 178 - That HB 178 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: Devlin, Ellerd.

Total 2

Excused: Gould, Kennerly, Williams.

Total 3

Absent or not voting: Hart, Krueger, Nisbet, Simon.

Total 4

HB 180 - That HB 180 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: Campbell, Cobb, Nathe.

Total 3

Excused: Gould, Kennerly, Williams.

Total 3

Absent or not voting: Abrams, Brandewie, Ellerd, Harp, Nisbet.

Total 5

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman D. Brown moved the adoption of the committee report. Report adopted. (89-3)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 30 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Miller, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 55

Noes: Asay, Campbell, Cobb, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Marks, Mercer, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 44

Paired: Kennerly, Menahan, Williams, Ayes; Gould, Hannah, J.K. Moore, Noes.

Excused: None.

Total 0

Absent or not voting: Harp.

Total 1

HB 163 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Thoft, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 86

Noes: Asay, Cobb, Glaser, Hannah, J.K. Moore, Nathe, Peck, Swift, Switzer, Thomas.

Total 10

Excused: Gould, Kennerly, Williams.

Total 3

Absent or not voting: Harp.

Total 1

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

1/24/85

Signed by the Speaker at 1:30 p.m., 1/24/85: HB 29.

Delivered to the Governor for his approval at 2:40 p.m., 1/24/85: HB 29.

BUSINESS AND LABOR (Pavlovich, Chairman):

1/23/85

HB 127, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "PROVIDING COVERAGE FOR SECURITY ALARM SYSTEMS;"

2. Title, line 13.

Following: "37-60-105,"

Insert: "37-60-202,"

3. Page 1, line 23.

Following: "signals."

Strike: remainder of lines 23 through 25 in their entirety

4. Page 3, line 3.

Following: "guard,"

Strike: "security"

5. Page 3, line 4.

Strike: "alarm system,"

6. Page 5, lines 10 through 21.

Strike: subsection (17) in its entirety

Renumber: subsequent subsections

7. Page 6, line 13.

Following: "Exemptions."

Strike: remainder of line 13 through "this" on line 14

Insert: "This"

8. Page 6, line 19.

Following: "is"

Insert: "guarding"

9. Page 8, line 6.

Strike: "Except as provided in subsection (4), any"

Insert: "Any"

10. Page 9, lines 8 and 9.

Strike: subsection (4) in its entirety

11. Page 10, line 7.

Strike: "25"

Insert: "21"

12. Page 10, line 18.

Following: "business;"

Insert: "or"

13. Page 11, line 2.

Following: "(3)"

Strike: remainder of line 2 through "(2)(g)" on line 5

Insert: "Up to one-half of the experience required by (2)(g) may be met by a combination of education and training as accepted by the board"

14. Page 12, line 13.

Following: "manager"

Strike: remainder of line 13 through "state" on line 16

15. Page 12, line 19.

Following: "~~to~~"

Strike: "notify"

Insert: "send written notification to"

16. Page 13, line 1.

Following: "may"

Strike: "perform the duties of"

Insert: "be employed as"

17. Page 13, line 10.

Strike: "name of the business"

Insert: "type of employment"

18. Page 14, lines 10 and 11.

Strike: subsection (5) in its entirety

19. Page 14, line 16.

Strike: "perform the duties of"

Insert: "be employed as"

20. Page 15, line 2.

Following: "board"

Insert: " , "

21. Page 15, line 2.

Following: "and"

Insert: "applicants for identification cards as unarmed investigators"

22. Page 15.

Following: line 4

Insert: "Section 8. Section 37-60-202, MCA, is amended to read:

"37-60-202. Rulemaking power. The board shall adopt and enforce reasonable rules:

(1) specifying the form of and procedure to be used in granting, denying, suspending, or revoking any license, registration, or identification card;

(2) fixing the qualifications of resident managers, qualifying agents, licensees, registrants, and holders of identification cards, in addition to those prescribed in this chapter, necessary to promote and protect the public welfare;

(3) establishing, in accordance with 37-1-134, application and examination fees for original or renewal licenses, registrations, and identification cards, and providing for refunding of any such fees;

(4) prohibiting the establishment of branch offices of any licensee, except a proprietary security organization, without approval by the board, establishing qualification requirements and license fees for those offices;

(5) for the certification of private investigator and private security guard training programs, including the certification of firearms training programs and firearms instructors;

(6) for the approval of weapons;

(7) requiring the maintenance of records;

(8) requiring licensees to maintain such insurance coverage as the board considers necessary;

(9) defining "unprofessional conduct" for the purposes of removal from the board and suspension or revocation of licenses, registrations, and identification cards;

(10) establishing the expiration and renewal periods for licenses, registrations, and identification cards; and

(11) for the temporary employment of persons without the required registration or identification cards; and

(12) providing for the issuance of probationary and temporary licenses for contract security companies and private investigators; and

(13) providing for the issuance of probationary registration and identification cards for private investigators who do not meet the requirements for age, employment experience, and written examination.”

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 189, do pass. Report adopted.

1/24/85

HB 263, introduced bill, be amended as follows:

1/23/85

1. Page 3, line 17.

Following: “within”

Strike: “30”

Insert: “45”

And, as amended, do pass. Report adopted.

HB 264, introduced bill, be amended as follows:

1. Title, line 7.

Following: “WITHIN”

Strike: “21”

Insert: “30”

2. Page 1, line 25.

Following: “within”

Strike: “21”

Insert: “30”

3. Page 2, lines 5 through 7.

Strike: subsection (3) in its entirety

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

1/24/85

Adverse Committee Report

HB 218, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Bergene, Bradley, Brandewie, Campbell, Cobb, Cody, Compton, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hand, Hannah, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Winslow, Mr. Speaker.

Total 78

Noes: Bachini, D. Brown, J. Brown, Cohen, Connelly, Ellerd, Hammond, Harper, Kadas, O'Connell, Peck, Pistoria, Raney, Spaeth, Waldron, Wallin, Zabrocki.

Total 17

Excused: Gould, Kennerly, Williams.

Total 3

Absent or not voting: Hansen, Sands.

Total 2

TAXATION (Devlin, Chairman):

1/24/85

HB 140, do pass. Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 1:00 p.m., January 25, 1985.

Motion carried.

House adjourned at 3:00 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

SEVENTEENTH LEGISLATIVE DAY

Helena, Montana
January 25, 1985

House Chambers
State Capitol

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Garcia, Gould, Hanson, Lory, Miles, Miller, Sands, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the fifteenth and sixteenth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/24/85
Correctly printed: HB 140, HB 189, HB 246.
Considered correctly engrossed: HB 81, HB 96, HB 180.

1/25/85
Correctly printed: HB 127, HB 200, HB 263, HB 264, HB 286.
Considered correctly engrossed: HB 148, HB 172, HB 178.

BUSINESS AND LABOR (Pavlovich, Chairman): 1/24/85
HB 175, introduced bill, be amended as follows:

1. Title, line 7.
Strike: "PROPRIETARY SECURITY ORGANIZATION"
Insert: "PRIVATE INVESTIGATOR"
2. Page 1, line 21.
Strike: "two"
Insert: "one"
3. Page 1, line 22.
Strike: "organizations"
Insert: "organization"
4. Page 2, line 3.
Strike: "a"
Insert: "two"
5. Page 2, line 3.
Strike: "investigator"
Insert: "investigators"

And, as amended, referred to the committee of the whole without recommendation. Report adopted.

JUDICIARY (Hannah, Chairman): 1/25/85
Adverse Committee Report

HB 207, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones,

Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Mercer, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 89

Noes: Bachini, Peck.
Total 2

Excused: Garcia, Gould, Hanson, Lory, Miles, Miller, Sands.
Total 7

Absent or not voting: Marks, Menahan.
Total 2

STATE ADMINISTRATION (Sales, Chairman):

1/24/85

HB 146, introduced bill, be amended as follows:

1. Title, line 10.
Strike: "RAISING"
Insert: "REMOVING"
Strike: "NUMBER OF"
Insert: "REQUIREMENT FOR DEPARTMENTAL CONCUR-
RENCE ON CERTAIN"
Strike: "HANDLED INFORMALLY"

2. Page 2, line 8.
Following: "delegate"
Insert: "on a project-by-project basis"

And, as amended, do pass. Report adopted.

HB 216, introduced bill, be amended as follows:

1. Page 3, line 1.
Strike: "and services"
2. Page 3.
Following: line 8
Insert: "(2) For state contracts for the procurement of services, the department shall require bid security and contract performance security, except for purchases described in 18-4-305 and 18-4-306."
Renummer: subsequent subsections
3. Page 3, line 10.
Following: "(1)"
Insert: "or (2)"
4. Page 3, line 25 through page 4, line 4.
Strike: subsection (3) in its entirety
Renummer: subsequent subsections

And, as amended, do pass. Report adopted.

HB 217, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 217

A statement of intent is required for this bill because it transfers rule-making authority from the department of administration to the department

of military affairs. It is the intent of the legislature that in developing rules under this act, the department of military affairs look to the rules of the department of administration under 10-3-311, MCA, so that affected political jurisdictions are assured of some continuity in the administration of disaster and emergency relief.

HB 227, introduced bill, be amended as follows:

1. Title, line 7.

Following: "THEY"

Insert: "INTEND TO VOTE OR HAVE"

2. Page 1, line 25.

Following: "elector,"

Insert: "before or"

3. Page 2, line 2.

Following: "elector,"

Insert: "intends to vote or has"

And, as amended, do pass. Report adopted.

TAXATION (Devlin, Chairman):

1/23/85

HB 177, introduced bill, be amended as follows:

1. Title, line 6.

Following: "GENERALLY,"

Insert: "REQUIRING THAT ANY INTEREST IN EXCESS OF 8 PERCENT COLLECTED BY THE COUNTY TREASURER ON A REDEMPTION FROM A TAX SALE BE DEPOSITED IN THE COUNTY GENERAL FUND;"

2. Page 1, line 12.

Following: "sales."

Insert: "(1)"

3. Page 2, line 7.

Following: line 6

Insert: "(2) All interest in excess of 8% paid by the redemptioner shall be promptly deposited by the county treasurer in the county general fund."

And, as amended, do pass. Report adopted.

MOTIONS

Representative J.K. Moore moved that Thomas be added as a sponsor to HB 296. Motion carried.

Representative Harper moved that consideration of HB 59, second reading this day, be passed until the 19th legislative day. Motion carried.

Representative Harper moved that consideration of HB 195, second reading this day, be passed until the 19th legislative day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 471, introduced by J. Hammond, Blaylock, Peck, Eudaily, Bachini.
Referred to Committee on Education and Cultural Resources.

- HB 472**, introduced by Bradley, J. Brown, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Human Services and Aging.
- HB 473**, introduced by Pavlovich, D. Brown, Ellison, B. Williams, J.K. Moore, Miller, Phillips, Patterson, Kitselman, Hannah, Sands, Peck, R. Manning, Keyser, Lybeck, Ellerd, Lane, Hayne, Boylan, E. Smith, McCallum. Referred to Committee on State Administration.
- HB 474**, introduced by Pavlovich, J. Brown, Menahan, (By Request of the Board of Morticians). Referred to Committee on Business and Labor.
- HB 475**, introduced by Manuel, Peck. Referred to Committee on Business and Labor.
- HB 476**, introduced by Spaeth. Referred to Committee on Judiciary.
- HB 477**, introduced by Menahan, Pavlovich, (By Request of the Board of Morticians). Referred to Committee on Business and Labor.
- HB 478**, introduced by Schye, (By Request of the Department of Revenue). Referred to Committee on Taxation.
- HB 479**, introduced by J.K. Moore, Campbell, Nathe, Marks, O'Connell, Hayne, Bergene, Donaldson, Ellison, Keller, Waldron, Peterson, Wallin, Goodover, Thayer, Galt, J. Brown, Spaeth, Pistoria, Pavlovich. Referred to Committee on Business and Labor.
- HB 480**, introduced by Donaldson, (By Request of the Office of Public Instruction). Referred to Committee on Education and Cultural Resources.
- HB 481**, introduced by Brandewie, Mercer, Krueger, Cobb, O'Hara, Harrington, Bradley, Harp. Referred to Committee on Judiciary.
- HB 482**, introduced by Pistoria, Peck, Bachini, J.K. Moore, McCormick, O'Connell, Ream, Harrington, Garcia, J. Hammond, J. Brown, Cobb, Miller, Bergene, Vincent, Hand. Referred to Committee on State Administration.
- HB 483**, introduced by Spaeth. Referred to Committee on Local Government.
- HB 484**, introduced by Peck, Iverson, Jenkins, Compton, Bachini, Schye, Cody. Referred to Committee on Local Government.
- HB 485**, introduced by Driscoll. Referred to Committee on Business and Labor.
- HB 486**, introduced by Thomas, Devlin, Switzer, Patterson, Rehberg, Thoft, Bergene, Sales, Hanson, Mercer, Ernst, Cobb, Grady, Swift, Nathe, Lory, Campbell, Nelson, Simon, Glaser, Miller, Brandewie, Marks, Phillips, Ellerd, Hayne, Keller, Asay, Donaldson, Keyser, O'Hara, Ellison, Iverson, Ream, J. Brown, Gilbert, Jenkins, Wallin, Spaeth, Rapp-Svrcek, Quilici, Harp, Eudaily, C. Smith, Jones, Peterson, Compton, Manuel, Holliday, Ramirez, Garcia, Hand. Referred to Committee on Agriculture.
- HB 487**, introduced by Wallin, Winslow, Asay, Hayne, Ramirez, J. Moore, Towe, Christiaens, Marks, Eck, Neuman, Jacobson, Stephens, Darko, Schultz, Donaldson, Keyser, Miller, Sales, Hansen, Keating, Schye, (By Request of the Health Facility Authority). Referred to Committee on Business and Labor.
- HJR 1**, introduced by Vincent, Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J.

Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Norman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail. Referred to Committee on Rules.

HJR 14, introduced by Pistoria, Nelson, Winslow, McCormick, J. Brown, Bachini, O'Connell. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Kitselman in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representatives Lory and Hanson present at this time.

HB 70 - Representative Hand moved that HB 70 do pass. Representative Sales made a substitute motion that consideration of HB 70 be passed for the day. Motion carried.

Representative Miles present at this time.

HB 153 - That HB 153 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ernst, Fritz, Gilbert, Glaser, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Schye, Simon, Spaeth, Switzer, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 80

Noes: Brandewie, Cobb, Devlin, Ellerd, Ellison, Eudaily, Grady, Jones, Keyser, J.K. Moore, Sales, Smith, Swift, Thoft, Thomas.

Total 15

Excused: Garcia, Gould, Miller, Sands.

Total 4

Absent or not voting: Menahan.

Total 1

Representative Grady excused at this time.

HB 194 - That HB 194 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanoue, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Garcia, Gould, Grady, Miller, Sands.

Total 5

Absent or not voting: Harrington, Kadas.

Total 2

HB 196 - That HB 196 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanoue, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Garcia, Gould, Grady, Miller, Sands.

Total 5

Absent or not voting: Kadas.

Total 1

HB 202 - That HB 202 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanoue, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Gilbert, Glaser, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Garcia, Gould, Grady, Miller, Sands.

Total 5

Absent or not voting: Ellison.

Total 1

Representative Miller present at this time.

HB 34 - That HB 34 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: J.K. Moore.

Total 1

Excused: Garcia, Gould, Grady, Sands.

Total 4

Absent or not voting: O'Connell.

Total 1

HB 108 - That HB 108 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Garcia, Gould, Grady, Sands.

Total 4

Absent or not voting: J.K. Moore, Pavlovich.

Total 2

HB 111 - Representative Rapp-Svrcek moved that HB 111, second reading copy, be amended as follows:

1. Title, line 9.

Following: "EMPLOYMENT"

Insert: ", EXCLUDING EMPLOYMENT IN WORK-STUDY AND STUDENT EMPLOYMENT PROGRAMS,"

2. Page 5, line 20.

Following: ","

Strike: "or"

3. Page 5, line 22.

Strike: ","

Insert: "; or"

4. Page 5.

Following: line 22

Insert: "(h) a position held by a student under the Montana work-study program provided for in Title 20, chapter 25, part 7, or under a student employment program administered by the Montana university system or a community college."

Amendment passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Ellerd.

Total 1

Excused: Garcia, Gould, Grady, Sands.

Total 4

Absent or not voting: Asay, Patterson, Peterson, Zabrocki.

Total 4

Representative Sands present at this time.

Representative Eudaily excused at this time.

That HB 111, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Fritz, Gilbert, Glaser, Hammond, Hand, Hannah, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Sales,

Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: Brandewie, Devlin, Hansen, Harp, Nelson, Switzer, Waldron.

Total 7

Excused: Eudaily, Garcia, Gould, Grady.

Total 4

Absent or not voting: Pavlovich, Rehberg.

Total 2

HB 114 - That HB 114 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Fritz, Gilbert, Glaser, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: Ellison, Gould, J.K. Moore, Phillips, Schultz.

Total 5

Paired: Harper, Aye; Gould, No.

Excused: Eudaily, Garcia, Grady.

Total 3

Absent or not voting: Keyser.

Total 1

Representative Eudaily present at this time.

HB 144 - That HB 144 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Garcia, Gould, Grady.

Total 3

Absent or not voting: Pavlovich.

Total 1

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Kitselman moved the adoption of the committee report. Report adopted. (93-1)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 27 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Glaser, Sales.

Total 2

Excused: Garcia, Gould, Grady.

Total 3

Absent or not voting: Hart, Montayne.

Total 2

HB 81 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Garcia, Gould, Grady.

Total 3

Absent or not voting: None.

Total 0

HB 96 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Garcia, Gould, Grady.

Total 3

Absent or not voting: None.

Total 0

HB 137 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Lory.

Total 1

Excused: Garcia, Gould, Grady.

Total 3

Absent or not voting: Williams.

Total 1

HB 143 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift,

Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki,
Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Garcia, Gould, Grady.

Total 3

Absent or not voting: None.

Total 0

HB 150 passed as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Donaldson, Ellerd, Ernst, Eudaily, Fritz, Gilbert, Glaser, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Menahan, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 80

Noes: Bachini, D. Brown, Cohen, Devlin, Driscoll, Ellison, Hannah, Jones, Koehnke, Manuel, Marks, Mercer, Miles, Nisbet, Patterson, Schultz.

Total 16

Excused: Garcia, Gould, Grady.

Total 3

Absent or not voting: Waldron.

Total 1

HB 161 failed to pass as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cohen, Connelly, Darko, Donaldson, Ellerd, Ernst, Eudaily, Fritz, Garcia, Hammond, Hansen, Harbin, Harper, Harrington, Hart, Kadas, Keenan, Kennerly, Koehnke, Krueger, Lory, Manuel, Menahan, Miles, J. Moore, Peck, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Schye, Spaeth, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 46

Noes: Asay, Brandewie, Campbell, Cobb, Cody, Compton, Devlin, Driscoll, Ellison, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, McCormick, Marks, Mercer, Miller, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Ramirez, Rehberg, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin.

Total 54

Paired: Garcia, Harper, Quilici, Ayes; Gould, Grady, Keyser, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 180 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Cobb.

Total 1

Excused: Garcia, Gould, Grady.

Total 3

Absent or not voting: Mercer.

Total 1

HB 182 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Garcia, Gould, Grady.

Total 3

Absent or not voting: None.

Total 0

SJR 1 concurred in as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips,

Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Garcia, Gould, Grady.
Total 3

Absent or not voting: Marks, Williams.
Total 2

REPORTS OF STANDING COMMITTEES

JUDICIARY (Hannah, Chairman): 1/25/85

Adverse Committee Report
HB 69, do not pass.

STATE ADMINISTRATION (Sales, Chairman): 1/25/85

HB 257, do pass. Report adopted.

HB 258, introduced bill, be amended as follows:

1. Title, lines 5 and 6.

Following: "ADD" on line 5

Strike: "TO" through "MEMBERSHIP" on line 6

Insert: "AS AN EX OFFICIO MEMBER"

2. Page 1, lines 23 through 25.

Strike: subsection (c) in its entirety

Renumber: subsequent subsections

3. Page 2, line 20.

Following: "Act"

Insert: "; (i) one ex officio member who shall be the director of the department of health and environmental sciences or his designee"

And, as amended, do pass. Report adopted.

HB 260, introduced bill, be amended as follows:

1. Page 5, line 22.

Following: "to"

Insert: "the first Monday in"

Following: "October"

Strike: "1"

And, as amended, do pass. Report adopted.

MOTIONS

Representative Rapp-Svrcek moved that his vote on HB 108, second reading this day, be recorded as yes. Motion carried.

Representative Winslow moved that HB 108 be taken from second reading and referred to the Committee on Appropriations. Motion carried.

Representative Williams moved that his vote on HB 108, third reading this day, be recorded as yes. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

The Montana Library Association is hosting a reception tonight beginning at 7:00 p.m. at the Montana State Library.

Representative Harper moved that the House adjourn until 9:00 a.m., January 26, 1985.

Motion carried.

House adjourned at 3:10 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

EIGHTEENTH LEGISLATIVE DAY

Helena, Montana
January 26, 1985

House Chambers
State Capitol

House convened at 9:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Garcia, Gould, Menahan, J. Moore, Waldron, excused; Miller, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the seventeenth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/25/85
Correctly printed: HB 146, HB 175, HB 177, HB 216, HB 217, HB 227, HB 257.

Considered correctly engrossed: HB 34, HB 114, HB 144, HB 153, HB 194, HB 196, HB 202.

1/26/85

Correctly printed: HB 214, HB 350.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Schultz, Chairman):
1/25/85

HB 233, introduced bill, be amended as follows:

1. Title, line 6.

Following: "IN"

Strike: remainder of line 6 through "FROM" on line 7

2. Title, line 8.

Strike: "ELIMINATING THE EXEMPTION FOR"

Insert: "CHANGING PROVISIONS RELATING TO"

3. Title, line 12.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

4. Page 3, line 24.

Following: "acupuncture"

Insert: ", "

Strike: "or"

Following: "transfer"

Insert: "ova or embryo transfer, or"

5. Page 5, line 11.

Following: "state;"

Insert: ".,"

6. Page 5, line 23.

Following: "study"

Strike: ".,"

Following: line 23

Insert: "(e) the employment as assistants to veterinarians licensed and registered under this chapter of veterinary medical students who have successfully completed 3 years of the professional curriculum in

veterinary medicine at a college having educational standards equal to those approved by the American veterinary medical association and authorized by law to confer degrees."

7. Page 8.

Following: line 14

Insert: "NEW SECTION. Section 7. Extension of authority. Any existing authority of the board of veterinarians (herein changed to board of veterinary medicine) to make rules on the subject of the provisions of this act is extended to the provisions of this act.

NEW SECTION. Section 8. Effective date. This act is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 350, do pass. Report adopted.

BUSINESS AND LABOR (Paylovich, Chairman):

1/25/85

HB 214, do pass. Report adopted.

HB 251, introduced bill, be amended as follows:

1. Title, line 11.

Following: "39-72-405,"

Insert: "AND"

Following: "39-72-711,"

Strike: "AND 39-73-104,"

2. Page 2, line 12.

Following: "~~(1)~~"

Insert: "(1)"

3. Page 3, line 5.

Following: line 4

Insert: "(2) The division may, upon a reasonable showing by the claimant or a decedent's beneficiaries that the claimant or the beneficiaries could not have known that the claimant's condition or the employee's death was related to an occupational disease, waive the claim time requirement up to an additional 2 years."

4. Page 3, line 14.

Following: "~~compensation~~"

Insert: "(1)"

5. Page 4, line 18.

Following: line 17

Insert: "(2) When any employee in employment on or after January 1, 1959, because he has an occupational disease incurred in and caused by such employment which is not yet disabling, is discharged or transferred from the employment in which he is engaged or when he ceases his employment and it is in fact, as determined by the medical panel, inadvisable for him on account of a nondisabling occupational disease to continue in employment and he suffers wage loss by reason of the discharge, transfer, or cessation, the division may allow compensation on account thereof as it considers just, not exceeding \$10,000."

6. Page 5, line 1.

Following: "~~39-72-405(3)~~,"

Insert: "including a claim based on 39-72-405(2),"

7. Page 5, lines 8 through 22.

Strike: section 5 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 280, introduced bill, be amended as follows:

1. Title, line 8.

Following: "MCA"

Insert: "AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 2.

Following: line 8

Insert: "NEW SECTION. Section 3. Effective date. This act is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 285, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

January 25, 1985

Dear Mr. Speaker:

Please be informed that I have signed House bill 29 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

Senate bill passed and transmitted to the House for concurrence: 1/24/85

SB 2, introduced by Shaw

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 488, introduced by Iverson, Mazurek, Kolstad, Galt, Bachini, Harper, Marks, Bardanouve, Aklestad, Ernst, Nathe, Manuel, Lybeck. Referred to Committee on State Administration.

HB 489, introduced by Waldron, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Human Services and Aging.

HB 490, introduced by Bardanouve, (By Request of the Department of Institutions). Referred to Committee on Appropriations.

HB 491, introduced by Zabrocki, (By Request of the Department of Justice, Division of Motor Vehicles). Referred to Committee on Highways and Transportation.

HB 492, introduced by Peterson, (By Request of the Department of Justice, Motor Vehicles Division). Referred to Committee on Business and Labor.

HB 496, introduced by Darko, Mohar, Raney, Peterson, Bachini, Hansen. Referred to Committee on Local Government.

HB 497, introduced by Koehnke, McCormick, Bengtson. Referred to Committee on Education and Cultural Resources.

HB 498, introduced by Ellison. Referred to Committee on Judiciary.

HB 499, introduced by Kadas. Referred to Committee on Business and Labor.

HB 501, introduced by Phillips, Nathe, Campbell, Hanson, Compton, Jenkins, Switzer, Keyser, Thomas, Swift, Peck, Tveit, C. Smith. Referred to Committee on State Administration.

HB 502, introduced by Addy, Winslow. Referred to Committee on Judiciary.

HB 503, introduced by Harper. Referred to Committee on Education and Cultural Resources.

HB 504, introduced by Kadas, Sales, Gilbert. Referred to Committee on Local Government.

HB 505, introduced by Nathe, Spaeth. Referred to Committee on Local Government.

HB 506, introduced by Harper, Marks, Spaeth, Asay, J. Moore, Keller, O'Connell, Hayne, Wallin, Hart, Iverson, Rapp-Svrcek, Schye, Raney, Peterson, D. Brown, Harbin, Thoft, (By Request of the Department of Agriculture). Referred to Committee on Agriculture.

HB 507, introduced by Keyser, Stephens, Wallin, Kolstad. Referred to Committee on Judiciary.

HB 508, introduced by Hand, Lynch, Harrington, D. Brown, Campbell, Krueger, Pavlovich, Anderson, Nathe, Yellowtail, Jacobson, C. Smith, Menahan, Stimatz. Referred to Committee on State Administration.

HJR 15, introduced by Schye, Conover, Bardanouve, Spaeth, Schultz, Iverson, Ernst, Cobb, Boylan, Nathe, Yellowtail, Rapp-Svrcek, Bradley. Referred to Committee on Agriculture.

HJR 16, introduced by Rapp-Svrcek, Cobb, Bardanouve, Lybeck, Harp, Bergene, Peck, Haffey. Referred to Committee on Judiciary.

HJR 17, introduced by Schultz, Holliday, Spaeth, Howe, Jenkins, Kolstad, Sales, Bergene, Anderson, Keating, Shaw, Bachini, Ellison, Switzer, Poff, Devlin, Cody, Koehnke, E. Smith, McCallum, Goodover, Compton, Keller, Severson, Aklestad, Tveit, H. Hammond, Patterson, Fritz, Halligan, Galt, B. Williams, Farrell, Boylan, Story, Campbell, Nathe, Lane, Mohar, Yellowtail, Glaser, R. Manning, Schye, Rapp-Svrcek, Conover, Manuel, Hanson, Ernst, Brandewie, Grady, Ellerd, (By Request of the House Agriculture, Livestock, and Irrigation Committee). Referred to Committee on Agriculture.

The following Senate bill was introduced, read first time, and referred to committee:

SB 2, introduced by Shaw. Referred to Committee on Judiciary.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Schye in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 70 - Representative Hand moved that consideration of HB 70 be passed for the day. Motion carried.

HB 154 - That HB 154 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton,

Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Garcia, Gould, Menahan, J. Moore, Waldron.

Total 5

Absent or not voting: Ellerd, Miller.

Total 2

HB 167 - That HB 167 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Garcia, Gould, Menahan, J. Moore, Waldron.

Total 5

Absent or not voting: Miller.

Total 1

HB 176 - That HB 176 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Garcia, Gould, Menahan, J. Moore, Waldron.

Total 5

Absent or not voting: Miller.

Total 1

HB 129 - Representative Kitselman moved that HB 129, second reading copy, be amended as follows:

1. Title, lines 4 and 5.

Strike: "REQUIRING EQUAL SHARING OF"

Insert: "APPORTIONING THE"

2. Title, line 6.

Strike: "BY"

Insert: "FOR"

3. Page 1, line 22.

Following: "revenue"

Strike: "must"

Insert: "shall"

Strike: "equally shared between"

Insert: "apportioned 65% for"

4. Page 1, line 23.

Following: "and"

Insert: "35% for"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: Lory.

Total 1

Excused: Garcia, Gould, Menahan, J. Moore, Waldron.

Total 5

Absent or not voting: Compton, Miller, O'Connell.

Total 3

Representatives Devlin, Ernst, Fritz, Miller, Swift, Thoft, and Thomas excused at this time.

That HB 129, as amended, do pass. Motion failed as follows:

Ayes: Abrams, Bachini, Brandewie, Compton, Connelly, Darko, Gilbert, Glaser, Hammond, Harbin, Harper, Hart, Howe, Kennerly, Keyser, Kitselman, Koehnke, Lory, Mercer, Miles, Montayne, Nelson, Patterson, Pavlovich, Peck, Pistoria, Poff, Raney, Thomas, Williams.

Total 30

Noes: Addy, Asay, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Grady, Hand, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Krueger, McCormick, Manuel, Marks, Menahan, J.K. Moore, Nathe, Nisbet, O'Connell, O'Hara, Peterson, Phillips, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 62

Paired: Harbin, Kitselman, Thomas, Ayes; Menahan, Swift, Thoft, Noes.

Excused: Devlin, Ernst, Fritz, Garcia, Gould, Miller, J. Moore, Waldron.

Total 8

Absent or not voting: None.

Total 0

That HB 129, as amended, do not pass. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Grady, Hand, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Krueger, McCormick, Manuel, Marks, Menahan, J.K. Moore, Nathe, Nisbet, O'Connell, O'Hara, Peterson, Phillips, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 62

Noes: Abrams, Bachini, Brandewie, Compton, Connelly, Darko, Gilbert, Glaser, Hammond, Harbin, Harper, Hart, Howe, Kennerly, Keyser, Kitselman, Koehnke, Lory, Mercer, Miles, Montayne, Nelson, Patterson, Pavlovich, Peck, Pistoria, Poff, Raney, Thomas, Williams.

Total 30

Paired: Menahan, Swift, Thoft, Ayes; Harbin, Kitselman, Thomas, Noes.

Excused: Devlin, Ernst, Fritz, Garcia, Gould, Miller, J. Moore, Waldron.

Total 8

Absent or not voting: None.

Total 0

HB 136 - That HB 136 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 86

Noes: Keyser, Switzer.

Total 2

Excused: Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 12

Absent or not voting: None.

Total 0

HB 140 - That HB 140 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: Hannah.

Total 1

Excused: Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 12

Absent or not voting: None.

Total 0

HB 189 - That HB 189 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Eudaily, Gilbert, Glaser, Grady, Hammond, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 78

Noes: Asay, Campbell, Ellison, Hand, Hannah, Jenkins, Keyser, Nathe, Switzer, Wallin.

Total 10

Excused: Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 12

Absent or not voting: None.

Total 0

HB 197 - That HB 197 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp,

Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: None.

Total 0

Excused: Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 12

Absent or not voting: Switzer.

Total 1

HB 226 - Representative Sales moved that HB 226 do pass. Representative Ramirez made a substitute motion that consideration of HB 226 be passed for the day. Motion failed as follows:

Ayes: Asay, Bergene, Brandewie, Campbell, Cobb, Compton, Donaldson, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Grady, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, Marks, Mercer, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Switzer, Wallin, Winslow.

Total 44

Noes: Abrams, Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, McCormick, Manuel, Miles, Montayne, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Spaeth, Williams, Zabrocki, Mr. Speaker.

Total 44

Excused: Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 12

Absent or not voting: None.

Total 0

That HB 226 do pass. Motion failed as follows:

Ayes: Brandewie, D. Brown, J. Brown, Campbell, Cobb, Devlin, Ellerd, Ernst, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Hayne, Iverson, Jones, Keller, Keyser, Kitselman, Mercer, Miller, Nathe, O'Hara, Patterson, Peterson, Phillips, Rehberg, Sales, Sands, Schultz, Smith, Swift, Switzer, Thoft, Thomas, Wallin.

Total 37

Noes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Jenkins, Kadas, Keenan, Kennerly, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miles, Montayne, J.K. Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Schye, Simon, Spaeth, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 60

Paired: Devlin, Ernst, Gould, Hannah, Miller, Sands, Swift, Thoft, Thomas, Ayes; Bardanouve, Darko, Fritz, Harbin, Harper, Keenan, Menahan, Quilici, Raney, Noes.

Excused: Garcia, J. Moore, Waldron.

Total 3

Absent or not voting: None.

Total 0

That HB 226 do not pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Cody, Cohen, Connelly, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Jenkins, Kadas, Keenan, Kennerly, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miles, Montayne, J.K. Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Schye, Simon, Spaeth, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 61

Noes: Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Devlin, Ellerd, Ernst, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Hayne, Iverson, Jones, Keller, Keyser, Kitselman, Mercer, Miller, Nathe, O'Hara, Peterson, Rehberg, Sales, Sands, Schultz, Smith, Swift, Switzer, Thoft, Thomas, Wallin.

Total 36

Paired: Bardanouve, Darko, Fritz, Harbin, Harper, Keenan, Menahan, Quilici, Raney, Ayes; Devlin, Ernst, Gould, Hannah, Miller, Sands, Swift, Thoft, Thomas, Noes.

Excused: Garcia, J. Moore, Waldron.

Total 3

Absent or not voting: None.

Total 0

HB 246 - That HB 246 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Switzer, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 83

Noes: D. Brown, Jones, McCormick, Nathe, Schultz.

Total 5

Excused: Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 12

Absent or not voting: None.

Total 0

HJR 8 - Representative Kitselman moved that consideration of HJR 8 be passed for the day. Motion carried.

HB 127 - That HB 127 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: None.

Total 0

Excused: Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 12

Absent or not voting: Nathe.

Total 1

HB 177 - That HB 177 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Wallin, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Zabrocki.

Total 1

Excused: Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 12

Absent or not voting: Nathe.

Total 1

HB 200 - Speaker Vincent moved that consideration of HB 200 be passed for the day. Motion carried.

HB 227 - That HB 227 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Eudaily, Gilbert, Glaser,

Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: Ellerd.

Total 1

Excused: Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 12

Absent or not voting: None.

Total 0

HB 257 - Representative Harper moved that HB 257 do pass. Representative J.K. Moore made a substitute motion that HB 257 be amended. Motion failed as follows:

Ayes: Asay, Brandewie, D. Brown, Campbell, Cobb, Compton, Donaldson, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Grady, Hannah, Hanson, Harp, Hayne, Iverson, Jones, Keller, Keyser, Kitselman, Lory, Marks, Mercer, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Switzer, Wallin, Winslow.

Total 42

Noes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Jenkins, Kadas, Keenan, Kennerly, Koehnke, Krueger, McCormick, Manuel, Miles, Montayne, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Williams, Zabrocki, Mr. Speaker.

Total 46

Excused: Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 12

Absent or not voting: None.

Total 0

Representative Keyser moved that HB 257, second reading copy, be amended. Motion failed as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Donaldson, Ellerd, Ellison, Gilbert, Glaser, Grady, Hanson, Hayne, Jones, Keller, Keyser, Kitselman, Marks, J.K. Moore, Nathe, Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sands, Schultz, Smith, Switzer, Wallin.

Total 30

Noes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Darko, Driscoll, Eudaily, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Kennerly, Krueger, Lory, McCormick, Manuel, Mercer, Miles, Montayne, Nisbet, O'Hara, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Schye, Simon, Spaeth, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 55

Excused: Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 12

Absent or not voting: Hannah, Koehnke, O'Connell.

Total 3

Representative Peck moved that HB 257, second reading copy, be amended as follows:

1. Page 1, line 14.

Strike: "best"

Insert: "clearly"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 86

Noes: J.K. Moore.

Total 1

Excused: Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 12

Absent or not voting: Pistoria.

Total 1

Representative J.K. Moore moved that HB 257, second reading copy, be further amended. Motion failed as follows:

Ayes: Asay, Bergene, Brandewie, D. Brown, Campbell, Cobb, Compton, Donaldson, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Grady, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, Marks, Mercer, J.K. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Switzer, Winslow.

Total 44

Noes: Abrams, Addy, Bachini, Bardanouve, Bradley, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, McCormick, Manuel, Miles, Montayne, Nisbet, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 44

Excused: Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 12

Absent or not voting: None.

Total 0

That HB 257, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Glaser, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Jenkins, Kadas, Keenan, Kennerly, Koehnke, Krueger, McCormick, Manuel, Mercer, Miles, Montayne, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Simon, Spaeth, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 54

Noes: Asay, Brandewie, D. Brown, Campbell, Cobb, Compton, Donaldson, Ellerd, Ellison, Eudaily, Gilbert, Grady, Hannah, Hanson, Hayne, Iverson, Jones, Keller, Keyser, Kitselman, Lory, Marks, J.K. Moore, Nathe, Nelson, O'Hara, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Smith, Switzer, Wallin.

Total 36

Paired: Fritz, Garcia, Ayes; Hayne, Ramirez, Noes.

Excused: Devlin, Ernst, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 10

Absent or not voting: None.

Total 0

Representative Brandewie excused at this time.

HB 263 - Representative Keller moved that HB 263, second reading copy, be amended as follows:

1. Page 2, line 5.

Strike: "30"

Insert: "35"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Switzer, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 84

Noes: Campbell, Kitselman.

Total 2

Excused: Brandewie, Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 13

Absent or not voting: Schultz.

Total 1

That HB 263, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 85

Noes: Campbell, Peck.

Total 2

Excused: Brandewie, Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 13

Absent or not voting: None.

Total 0

HB 264 - That HB 264 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Schye, Simon, Smith, Spaeth, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 83

Noes: Ellerd, Sales, Sands.

Total 3

Excused: Brandewie, Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 13

Absent or not voting: Switzer.

Total 1

HB 286 - That HB 286 do pass. Motion carried as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 83

Noes: Addy, Cody, Rapp-Svrcek, Sales.

Total 4

Excused: Brandewie, Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 13

Absent or not voting: None.

Total 0

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Schye moved the adoption of the committee report. Report adopted. (87-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 34 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: None.

Total 0

Excused: Brandewie, Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 13

Absent or not voting: None.

Total 0

HB 114 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 86

Noes: None.

Total 0

Excused: Brandewie, Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 13

Absent or not voting: Hansen.

Total 1

HB 144 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: None.

Total 0

Excused: Brandewie, Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 13

Absent or not voting: None.

Total 0

HB 148 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 82

Noes: Asay, D. Brown, Harbin, Harper, Raney.

Total 5

Excused: Brandewie, Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 13

Absent or not voting: None.

Total 0

HB 153 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly,

Darko, Donaldson, Driscoll, Eudaily, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Spaeth, Switzer, Wallin, Williams, Winslow, Zabrocki.

Total 79

Noes: Ellerd, Ellison, Jones, Keyser, J.K. Moore, Sales, Smith.

Total 7

Excused: Brandewie, Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 13

Absent or not voting: Mr. Speaker.

Total 1

HB 172 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Wallin, Williams, Winslow, Zabrocki.

Total 85

Noes: None.

Total 0

Excused: Brandewie, Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 13

Absent or not voting: Harrington, Mr. Speaker.

Total 2

HB 178 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: None.

Total 0

Excused: Brandewie, Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 13

Absent or not voting: None.

Total 0

HB 194 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: None.

Total 0

Excused: Brandewie, Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 13

Absent or not voting: None.

Total 0

HB 196 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 85

Noes: Asay.

Total 1

Excused: Brandewie, Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 13

Absent or not voting: O'Hara.

Total 1

HB 202 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe,

Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: None.

Total 0

Excused: Brandewie, Devlin, Ernst, Fritz, Garcia, Gould, Menahan, Miller, J. Moore, Swift, Thoft, Thomas, Waldron.

Total 13

Absent or not voting: None.

Total 0

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

1/25/85

Correctly printed: HB 258, HB 260.

Correctly engrossed: HB 111.

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman):

1/25/85

HB 267, do pass. Report adopted.

Adverse Committee Report

HB 149, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "PROFESSIONAL"

Insert: "FINANCIAL"

2. Page 2, line 16.

Strike: "professional"

Insert: "financial"

And, as amended, do not pass.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 509, introduced by Manuel, Kolstad, Jenkins. Referred to Committee on Appropriations.

HB 510, introduced by Eudaily. Referred to Committee on Human Services and Aging.

HB 511, introduced by Hannah. Referred to Committee on Judiciary.

HB 512, introduced by Cobb. Referred to Committee on Agriculture.

HB 513, introduced by Ellison, Phillips, Patterson, Pavlovich, D. Brown, Raney. Referred to Committee on State Administration.

HB 514, introduced by Marks. Referred to Committee on State Administration.

HB 515, introduced by Addy. Referred to Committee on State Administration.

HB 516, introduced by Keyser, Hannah, Rehberg, Schultz, Marks, Manuel, Holliday, Abrams, Cody, Harbin, Simon, Iverson, Grady, Hand. Referred to Committee on Natural Resources.

HB 517, introduced by Kadas, Keenan, Hansen, J. Brown, Spaeth, Darko. Referred to Committee on Local Government.

MOTIONS

Representative D. Brown moved that HB 431 be taken from the Committee on Local Government and rereferred to the Committee on Judiciary. Motion carried.

Representative D. Brown moved that HB 329 be taken from the Committee on Business and Labor and rereferred to the Committee on Judiciary. Motion carried.

Representative Rapp-Svrcek moved that HJR 16 be taken from the Committee on Judiciary and rereferred to the Committee on Human Services and Aging. Motion carried.

Representative Miles moved that her vote on HB 172, third reading this day, be recorded as yes. Motion carried.

Representative Hannah moved that HB 360 be taken from the Committee on Business and Labor and rereferred to the Committee on Judiciary to be considered with a similar bill. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

The Speaker introduced this week's pages: Dan Cybulski, Jimmi Lane, Pam Marsh, Lynae Peterson, Rosalie Richardson, and Nancy Schmaus, and thanked them for their services.

The Montana Petroleum Association is hosting a brunch tomorrow from 10:00 a.m. to 2:00 p.m. at the Montana Club.

The following poem was read and birthday cake served in honor of Representative Keyser's and Representative Ellerd's birthdays:

This weekend's very special
For two people we know well
Because they're having birthdays
But their names we won't yet tell
Instead we will describe them
With the title of a song
Can you guess who we are honoring?
I'll tell you before long.

"A yellow bird,
Up high in a banana tree"
This song describes one birthday boy
Who is quite a sight to see
In the waning day of session
When his waist expands in size
He often dons a yellow suit
And you won't believe your eyes.

To describe our second celebrant
There is "Smoke Gets in Your Eyes"
Because he wages constant war and
Each session here he tries
To pass some legislation called
An anti-smoking bill
Someday it's finally going to fly—
Perhaps this day it will.

Have you guessed who we are honoring?
Then won't you join with me
Sing Happy Birthday, Kerry! Bob!
You're one hundred twenty-three!

Representative Harper moved that the House adjourn until 1:00 p.m., January 28, 1985.

Motion carried.

House adjourned at 1:15 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

NINETEENTH LEGISLATIVE DAY

Helena, Montana
January 28, 1985

House Chambers
State Capitol

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by Father Jim Reeves. Pledge of Allegiance to the Flag.

Roll call. All members present except Bradley, Hanson, McCormick, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the eighteenth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/26/85

Correctly printed: HB 285.

Considered correctly engrossed: HB 136, HB 140, HB 154, HB 167, HB 176, HB 189.

1/28/85

Correctly printed: HB 69, HB 233, HB 251, HB 267, HB 280.

Considered correctly engrossed: HB 127, HB 177, HB 197, HB 227, HB 246, HB 264, HB 286.

Correctly engrossed: HB 257, HB 263.

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman):

1/28/85

Adverse Committee Reports

HB 149, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: Ellerd, Hannah, Manuel, Pistoria, Quilici, Sales.

Total 6

Excused: Bradley, Hanson, McCormick, Waldron.

Total 4

Absent or not voting: Rehberg.

Total 1

HB 192, introduced bill, be amended as follows:

1. Title, line 8.

Following: "MCA"

Insert: “; AND PROVIDING AN EFFECTIVE DATE”

2. Page 4.

Following: line 3

Insert: “NEW SECTION. Section 3. Effective date. This act is effective July 1, 1985.”

And, as amended, do not pass.

JUDICIARY (Hannah, Chairman):

1/28/85

HB 69 - Representatives J. Hammond, O'Connell, Nathe, Connelly, Kadas, Keenan, Miles, Darko, J. Moore, Cohen, Peck, Bergene, O'Hara, J. Brown, Hansen, Rapp-Svrcek, Waldron, Harper, Brandewie, and Bradley objected to the adverse committee report on HB 69, and requested that the bill be printed and placed on second reading.

1/25/85

HB 408, introduced bill, be amended as follows:

1. Title, line 6.

Strike: “FILING”

Insert: “SERVICE”

Following: “CLAIM”

Insert: “FOR RELIEF”

Following: “PREVAILING”

Strike: “COMPLAINANT”

Insert: “CLAIMANT”

2. Page 1, line 16.

Following: “judgment”

Insert: “against a party”

3. Page 1, line 16.

Following: “date”

Strike: “of” through “complainant” on line 18

Insert: “the claim for relief is served on that party in a civil action by the prevailing claimant”

And, as amended, referred to the committee of the whole without recommendation. Report adopted.

HB 425, do pass. Report adopted.

HB 426, do pass. Report adopted.

NATURAL RESOURCES (Iverson, Chairman):

1/28/85

HB 316, do pass. Report adopted.

TAXATION (Devlin, Chairman):

1/28/85

HB 317, introduced bill, be amended as follows:

1. Page 1, line 12.

Following: “goats,”

Strike: “wild animals confined and raised for profit,”

2. Page 1, line 15.

Following: “not.”

Strike: remainder of line 15

And, as amended, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

1/25/85

HB 4, introduced by Manuel

HB 7, introduced by Marks

HB 78, introduced by M. Williams

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 1/25/85

HB 56, introduced by Gilbert

Senate bills passed and transmitted to the House for concurrence: 1/25/85

SB 3, introduced by Shaw

SB 84, introduced by Brown, et al.

SB 100, introduced by Daniels, et al.

SB 117, introduced by Himsl, et al.

House bill concurred in and returned to the House: 1/26/85

HB 20, introduced by Quilici

Senate bills passed and transmitted to the House for concurrence: 1/26/85

SB 43, introduced by Towe

SB 49, introduced by B. Brown

SB 85, introduced by Van Valkenburg, et al.

SB 90, introduced by Mazurek, Fuller

SB 91, introduced by Mazurek

SB 94, introduced by McCallum

SB 102, introduced by Blaylock

SB 103, introduced by Jacobson, et al.

MOTIONS

Representative Kitselman moved that an honor guard from the National Guard be admitted to the chamber for the reading of HJR 8 under special orders of the day. Motion carried.

Representative Pavlovich moved that HB 473, the veterans' preference bill, be taken from the Committee on State Administration and rereferred to the Committee on Judiciary. Motion carried.

Representative Sales moved that consideration of HB 216, second reading, be passed for the day. Motion carried.

Representative Sales moved that consideration of HB 217, second reading, be passed for the day. Motion carried.

Representative Hansen moved that HB 409 be taken from the Committee on State Administration and rereferred to the Committee on Human Services and Aging. Motion carried.

Representative Miller moved that consideration of HB 214 be passed until the 23rd legislative day. Motion carried.

Representative Thomas moved that Schultz be added as a sponsor to HB 486. Motion carried.

Representative Bergene moved that consideration of HB 280 be passed until the 20th legislative day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

- HB 493**, introduced by Ramirez, Pavlovich, Holliday, Thoft, Donaldson, Abrams, Boylan, Ellerd, Gage. Referred to Committee on Natural Resources.
- HB 494**, introduced by Ramirez, Pavlovich, Holliday, Thoft, Donaldson, Abrams, Boylan, Ellerd, Gage. Referred to Committee on Natural Resources.
- HB 495**, introduced by Ramirez, Pavlovich, Holliday, Thoft, Donaldson, Abrams, Boylan, Ellerd, Gage. Referred to Committee on Natural Resources.
- HB 518**, introduced by Driscoll, Pavlovich, Quilici, Darko, Bachini, McCormick, Williams, O'Connell. Referred to Committee on Taxation.
- HB 519**, introduced by Sales. Referred to Committee on Local Government.
- HB 520**, introduced by Grady, Cobb, Schye, Bachini, Hanson, Campbell, Thoft, Jenkins, Compton, Switzer, Hand, Koehnke, Holliday. Referred to Committee on Judiciary.
- HB 521**, introduced by Spaeth, Hannah. Referred to Committee on Judiciary.
- HB 522**, introduced by Peck, Sands. Referred to Committee on Judiciary.
- HB 523**, introduced by Raney, Ellison, Harper, Addy, Asay, Bachini, Nathe, Darko, Harbin, Iverson, Ream, Rapp-Svrcek, Bardanouve, Quilici, Keenan, Bradley, Cohen, Miles. Referred to Committee on State Administration.
- HB 524**, introduced by Addy, (By Request of the Department of State Lands). Referred to Committee on State Administration.
- HB 525**, introduced by Asay, Gage, Yellowtail, Hanson, Harp, Ellison, Crippen. Referred to Committee on Appropriations.
- HB 526**, introduced by Simon, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Human Services and Aging.
- HB 527**, introduced by Simon, Crippen, Winslow, Schultz, Ramirez, Marks, O'Hara, Hager, D. Brown, Zabrocki. Referred to Committee on Business and Labor.
- HB 528**, introduced by Wallin. Referred to Committee on Judiciary.
- HB 529**, introduced by Addy. Referred to Committee on Judiciary.
- HB 530**, introduced by C. Smith, Jones, Ellison, Peterson, Connelly, Gilbert, Harp, Lynch, Rapp-Svrcek, Driscoll, Lory, Eudaily. Referred to Committee on Highways and Transportation.

The following Senate bills were introduced, read first time, and referred to committees:

- SB 3**, introduced by Shaw. Referred to Committee on Judiciary.
- SB 43**, introduced by Towe, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.
- SB 49**, introduced by B. Brown, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.

SB 84, introduced by B. Brown, McCallum, Yellowtail, Spaeth, Fritz, Nelson, Addy. Referred to Committee on Education and Cultural Resources.

SB 85, introduced by B. Brown, Van Valkenburg, Crippen, Spaeth, Addy, Mercer, (By Request of the Board of Crime Control). Referred to Committee on Judiciary.

SB 90, introduced by Mazurek, Fuller. Referred to Committee on Judiciary.

SB 91, introduced by Mazurek, (By Request of the Montana Supreme Court and the Montana Supreme Court Commission on the Rules of Evidence). Referred to Committee on Judiciary.

SB 94, introduced by McCallum. Referred to Committee on Local Government.

SB 100, introduced by Daniels, Neuman, Lane, Conover, Keyser, O'Connell, (By Request of Joint Interim Subcommittee No. 3). Referred to Committee on State Administration.

SB 102, introduced by Blaylock. Referred to Committee on Local Government.

SB 103, introduced by Jacobson, Christiaens, Waldron, Boylan, Gage, Thayer. Referred to Committee on Human Services and Aging.

SB 117, introduced by Himsl, Gage, Farrell, H. Hammond, (By Request of the Department of Administration). Referred to Committee on Education and Cultural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Switzer in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Hanson present at this time.

HB 59 - That HB 59 do pass. Motion failed as follows:

Ayes: Asay, Bachini, D. Brown, Cobb, Cohen, Connelly, Darko, Fritz, Garcia, Hammond, Hansen, Harbin, Hayne, Iverson, Kadas, Keenan, Kennerly, Koehnke, Krueger, Lory, Manuel, Miles, J. Moore, Nelson, O'Hara, Patterson, Raney, Rapp-Svrcek, Ream, Schultz, Schye, Thomas, Wallin, Winslow, Zabrocki.

Total 35

Noes: Abrams, Addy, Bardanouve, Bergene, Brandewie, J. Brown, Campbell, Cody, Compton, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Harper, Harrington, Hart, Holliday, Howe, Jenkins, Jones, Keller, Keyser, Kitselman, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, Nathe, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rehberg, Sales, Sands, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Waldron, Williams, Mr. Speaker.

Total 63

Excused: Bradley, McCormick.

Total 2

Absent or not voting: None.

Total 0

Representative Connelly moved that consideration of HB 59 be passed for the day. Motion failed as follows:

Ayes: Asay, Bachini, D. Brown, J. Brown, Cohen, Connelly, Darko, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Howe, Kadas, Keenan, Keller, Kennerly, Koehnke, Krueger, Lory, Manuel, Miles, J. Moore, Peterson, Ream, Schye, Waldron, Wallin, Zabrocki, Mr. Speaker.
Total 33

Noes: Abrams, Addy, Bardanouve, Bergene, Brandewie, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Keyser, Kitselman, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Schultz, Simon, Smith, Spaeth, Switzer, Thoft, Thomas, Williams, Winslow.
Total 62

Excused: Bradley, McCormick.

Total 2

Absent or not voting: Ellison, Sands, Swift.

Total 3

That HB 59 do not pass. Motion carried as follows:

Ayes: Abrams, Addy, Bardanouve, Bergene, Brandewie, J. Brown, Campbell, Cody, Compton, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rehberg, Sales, Sands, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Williams, Mr. Speaker.
Total 68

Noes: Asay, Bachini, D. Brown, Cobb, Cohen, Connelly, Darko, Fritz, Hammond, Hansen, Harbin, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, Lory, Manuel, Miles, J. Moore, O'Hara, Raney, Rapp-Svrcek, Ream, Schultz, Schye, Wallin, Winslow, Zabrocki.
Total 30

Excused: Bradley, McCormick.

Total 2

Absent or not voting: None.

Total 0

HB 70 - Representative Hand moved that HB 70, second reading copy, have the following statement of intent attached:

STATEMENT OF INTENT HB 70

The purpose of the extension of rulemaking authority contained in section 2 is to allow the department of state lands and board of land commissioners to amend their surface leasing rules, specifically ARM 26.3.112, to reflect the statutory amendments made by this bill.

Statement of intent passed as follows:

Ayes: Abrams, Asay, Bachini, Bergene, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Driscoll, Fritz, Garcia, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp,

Harrington, Hart, Hayne, Holliday, Howe, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Koehnke, Krueger, Manuel, Menahan, Miles, Miller, Montayne, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Schultz, Schye, Simon, Spaeth, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 71

Noes: Addy, Bardanouve, Cobb, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Hannah, Harper, Iverson, Jones, Kitselman, Lory, Marks, Mercer, J.K. Moore, Nelson, Ramirez, Rehberg, Sands, Smith, Swift, Thomas.

Total 27

Excused: Bradley, McCormick.

Total 2

Absent or not voting: None.

Total 0

That HB 70, with attached statement of intent, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Ream, Sales, Sands, Schultz, Simon, Smith, Spaeth, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: Darko, Hannah, Nisbet, Peck, Raney, Rapp-Svrcek, Rehberg, Schye, Swift, Waldron.

Total 10

Paired: Harbin, Aye; Raney, No.

Excused: Bradley, McCormick.

Total 2

Absent or not voting: Harrington.

Total 1

HB 195 - That HB 195 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: Hannah, J.K. Moore, Nathe, Ramirez, Rehberg, Swift.

Total 6

Excused: Bradley, McCormick.

Total 2

Absent or not voting: Bardanouve, Ellison, Harrington.

Total 3

HB 200 - Representative Waldron moved that HB 200 do pass. Representative D. Brown made a substitute motion that HB 200 be placed below HB 175. Motion carried.

HJR 8 - That HJR 8 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Bradley, McCormick.

Total 2

Absent or not voting: Asay, Pavlovich.

Total 2

HB 146 - That HB 146 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Hara, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 86

Noes: Cobb, Ellison, Glaser, Hannah, Keyser, Koehnke, O'Connell, Patterson, Pistoria.

Total 9

Excused: Bradley, McCormick.

Total 2

Absent or not voting: Asay, Hansen, Nathe.

Total 3

Representative Bradley present at this time.

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Switzer moved the adoption of the committee report. Report adopted. (95-1)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 111 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Devlin, Hansen.

Total 2

Excused: McCormick.

Total 1

Absent or not voting: None.

Total 0

HB 136 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Switzer, Waldron.

Total 2

Excused: McCormick.

Total 1

Absent or not voting: None.

Total 0

HB 140 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton,

Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Hannah.

Total 1

Excused: McCormick.

Total 1

Absent or not voting: Eudaily.

Total 1

HB 154 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: McCormick.

Total 1

Absent or not voting: None.

Total 0

HB 167 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: Pistoria.

Total 1

Excused: McCormick.

Total 1

Absent or not voting: None.

Total 0

HB 176 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: McCormick.

Total 1

Absent or not voting: None.

Total 0

HB 189 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Campbell, Hannah, Jones, Keyser, Nathe, Swift, Switzer.

Total 7

Excused: McCormick.

Total 1

Absent or not voting: None.

Total 0

MOTIONS

Representative J.K. Moore moved that his vote on HB 149, adverse committee report this day, be recorded as yes. Motion carried.

Representative Asay moved that his vote on HB 167, third reading this day, be recorded as yes. Motion carried.

SPECIAL ORDERS OF THE DAY

The Speaker asked the Sergeant-at-arms to escort the honor guard of the National Guard to the well of the house.

In honor of the 100th anniversary of the Montana National Guard, the reading clerk read HJR 8 in its entirety. The honor guard received a standing ovation and was escorted from the chamber by the Sergeant-at-arms.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

All legislators and their families are invited to an open house at the Montana Historical Society on January 29, from 7:00 to 9:00 p.m. There will be a historic preservation award ceremony at 7:30 p.m.

Representative Harper moved that the House adjourn until 1:00 p.m., January 29, 1985.

Motion carried.

House adjourned at 3:03 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

TWENTIETH LEGISLATIVE DAY

Helena, Montana
January 29, 1985

House Chambers
State Capitol

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Addy, Gilbert, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the nineteenth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/28/85

Correctly printed: HB 316, HB 425, HB 426.

Considered correctly engrossed: HB 146, HB 195, HJR 8.

1/29/85

Correctly printed: HB 169, HB 209, HB 213, HB 317, HB 408.

Considered correctly engrossed: HB 70.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Schultz, Chairman):

1/28/85

HB 349, introduced bill, be amended as follows:

1. Title, line 5.

Following: "TO"

Strike: remainder of line 5 through "PERSON" on line 7

2. Title, line 8.

Following: "LICENSURE"

Insert: "REQUIREMENTS"

Following: "DEALER"

Insert: "ANY PERSON PURCHASING AGRICULTURAL COMMODITIES FROM A LICENSED COMMODITY DEALER OR PURCHASING NOT MORE THAN \$30,000 WORTH OF AGRICULTURAL COMMODITIES FROM PRODUCERS DURING A LICENSING YEAR"

3. Page 2, line 8.

Following: "buys"

Strike: "or handles less than"

4. Page 2.

Following: line 8

Strike: "\$30,000 worth of"

5. Page 2, line 9.

Strike: "in"

Insert: "from a licensed commodity dealer or who does not purchase more than \$30,000 worth of agricultural commodities from producers during"

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Pavlovich, Chairman):

1/28/85

HB 213, do pass. Report adopted.

HB 223, introduced bill, be amended as follows:

1. Page 2, line 3.
Following: "and"
Insert: "reasonable"

And, as amended, do pass. Report adopted.

HB 272, introduced bill, be amended as follows:

1. Page 2, line 10.
Following: "that"
Strike: "the interest due"
Insert: "future benefits"

2. Page 2, line 11.
Following: "offset"
Strike: "future benefits"
Insert: "the interest due"

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman):

1/28/85

HB 209, do pass. Report adopted.

HB 454, introduced bill, be amended as follows:

1. Title, line 6.
Strike: "EMPHASIS"
Insert: "AN ENDORSEMENT"
2. Page 2, lines 9 and 10.
Following: "with"
Strike: remainder of line 9 through "emphasis on" on line 10
Insert: "an endorsement in"

And, as amended, do pass. Report adopted.

Adverse Committee Report

1/29/85

HB 192, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Devlin.

Total 1

Excused: Addy, Gilbert.

Total 2

Absent or not voting: Asay, Ellerd, Krueger, Switzer.

Total 4

HUMAN SERVICES AND AGING (Keenan, Chairman): 1/25/85
HB 169, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bill concurred in and returned to the House: 1/28/85

HB 87, introduced by Quilici

Senate bills passed and transmitted to the House for concurrence: 1/28/85

SB 51, introduced by B. Brown

SB 60, introduced by Mazurek

SB 87, introduced by Mazurek

SB 114, introduced by Story

SB 157, introduced by Lybeck, Holliday, et al.

SJR 8, introduced by Story

MOTIONS

Representative Bradley moved that HB 69, second reading this day, be placed below HB 216. Motion carried.

Representative D. Brown moved that consideration of HB 200, second reading this day, be passed until the 22nd legislative day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 531, introduced by Kennerly, Zabrocki, Howe, (By Request of the Department of Justice, Division of Motor Vehicles). Referred to Committee on Judiciary.

HB 532, introduced by Pistoria, Peck, O'Connell, Harp, Harper, J.K. Moore, Addy. Referred to Committee on Judiciary.

HB 533, introduced by Thomas. Referred to Committee on Judiciary.

HB 534, introduced by Hannah, Peck. Referred to Committee on Education and Cultural Resources.

HB 535, introduced by Hannah. Referred to Committee on State Administration.

HB 536, introduced by Ramirez. Referred to Committee on Judiciary.

HB 537, introduced by Cohen, Harbin, Brandewie, Harp, Connelly, Himsl, Lybeck, Mercer, B. Brown, Pinsoneault, Jones, C. Smith, Nelson, Harding, (By Request of the Flathead Basin Commission). Referred to Committee on Appropriations.

HB 538, introduced by Waldron. Referred to Committee on Education and Cultural Resources.

HB 539, introduced by Darko, Peck, Nisbet, Menahan, Schye, Keenan. Referred to Committee on Education and Cultural Resources.

HB 540, introduced by Devlin, Winslow, Schultz, Simon, Hannah, Keyser, Ellison, Iverson, Switzer, Nathe, E. Smith, Tveit, Marks, D. Brown, Hirsch, Mazurek, Pavlovich, Krueger, Abrams. Referred to Committee on Human Services and Aging.

HB 541, introduced by Darko, D. Brown. Referred to Committee on Judiciary.

HB 542, introduced by Harrington, Mohar, Kadas, Ream, Fuller, Quilici, (By Request of the Legislative Power Plan Study Committee). Referred to Committee on State Administration.

- HB 543**, introduced by Miles, D. Brown, Bradley, Iverson, Quilici, Bardanouve, Harp, Keenan, Harper, Daniels, Shaw, Krueger, Regan, Story, Yellowtail, Conover. Referred to Committee on Natural Resources.
- HB 544**, introduced by Iverson, Hirsch, C. Smith, Jones, Jenkins, Pistoria, Neuman, Harper, Thayer, O'Connell, Anderson, Menahan, Gage, Kitselman, Schultz, Rehberg. Referred to Committee on Taxation.
- HB 545**, introduced by Cobb. Referred to Committee on Local Government.
- HB 546**, introduced by Miles. Referred to Committee on Local Government.
- HB 547**, introduced by Miles, Keenan, Rapp-Svrcek, Bradley, Spaeth, Halligan, Regan. Referred to Committee on Judiciary.
- HB 548**, introduced by Rapp-Svrcek, Koehnke, Darko, Yellowtail, C. Smith, Jones, Brandewie, Peterson, Mercer, Harding, McCallum, R. Manning, Devlin, Lybeck, Mohar, B. Brown, Hanson, Galt, Hirsch. Referred to Committee on Taxation.
- HB 549**, introduced by Cobb, (By Request of the Office of Public Instruction). Referred to Committee on Education and Cultural Resources.
- HB 550**, introduced by J. Brown, Miles, Fuller, Harper, Vincent. Referred to Committee on State Administration.
- HB 551**, introduced by Rehberg, (By Request of the Office of Public Instruction). Referred to Committee on Education and Cultural Resources.
- HB 552**, introduced by J. Brown, Fuller, Bachini, Thayer, Christiaens. Referred to Committee on Business and Labor.
- HB 553**, introduced by D. Brown. Referred to Committee on Taxation.
- HB 554**, introduced by Connelly, Bardanouve, Harp, Asay, Halligan, Kadas, Cohen, Driscoll, Montayne, Glaser, Addy, Harper, Quilici, C. Smith, Jones, Wallin, Phillips, Brandewie. Referred to Committee on Business and Labor.
- HB 555**, introduced by Bradley, Bardanouve. Referred to Committee on State Administration.
- HB 556**, introduced by Bradley, Nelson, J. Hammond, Nisbet, Thomas, Harbin. Referred to Committee on Education and Cultural Resources.
- HB 557**, introduced by D. Brown. Referred to Committee on Judiciary.

The following Senate bills were introduced, read first time, and referred to committees:

- SB 51**, introduced by B. Brown, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.
- SB 60**, introduced by Mazurek. Referred to Committee on Judiciary.
- SB 87**, introduced by Mazurek. Referred to Committee on Judiciary.
- SB 114**, introduced by Story. Referred to Committee on State Administration.
- SB 157**, introduced by Lybeck, Holliday, Manuel, Koehnke, Kolstad, R. Manning, Connelly, Harp, Menahan, Iverson, Brandewie, Schultz, Neuman, C. Smith, Jones, Farrell, Tveit, Mohar, Bengtson, Lane, Hirsch, Conover, Harding, Story, B. Brown. Referred to Committee on Agriculture.
- SJR 8**, introduced by Story. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representatives Marks and Nathe excused at this time.

HB 175 - Representative Kadas moved that HB 175 do pass. Representative Keyser made a substitute motion that HB 175 be placed below HB 260. Motion carried.

HB 258 - That HB 258 do pass. Motion carried as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Glaser.

Total 1

Excused: Addy, Gilbert, Marks, Nathe.

Total 4

Absent or not voting: Keyser.

Total 1

Representative Addy present at this time.

HB 260 - That HB 260 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Gilbert, Marks, Nathe.

Total 3

Absent or not voting: None.

Total 0

HB 175 - That HB 175 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bardanouve, Bergene, Bradley, D. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hammond, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, O'Connell, O'Hara, Pavlovich, Peck, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Schultz, Schye, Simon, Thoft, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 69

Noes: Asay, Bachini, Brandewie, J. Brown, Cody, Devlin, Ellerd, Ernst, Hand, Hannah, Hanson, Hayne, Keyser, Nelson, Nisbet, Patterson, Phillips, Rapp-Svrcek, Sales, Sands, Smith, Spaeth, Swift, Switzer, Thomas, Wallin.

Total 26

Excused: Gilbert, Marks, Nathe.

Total 3

Absent or not voting: Ellison, Peterson.

Total 2

HB 285 - That HB 285 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hand, Hansen, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: Driscoll, Hammond, Hannah, Harper, Montayne, Waldron.

Total 6

Excused: Gilbert, Marks, Nathe.

Total 3

Absent or not voting: None.

Total 0

HB 350 - That HB 350 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan,

Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Gilbert, Marks, Nathe.

Total 3

Absent or not voting: Kadas, O'Connell, Phillips.

Total 3

HB 216 - Representative J. Moore moved that HB 216, second reading copy, be amended as follows:

1. Page 2, line 25.

Following: "of"

Insert: "services in the amount of \$10,000 or less or of"

2. Page 3, line 10.

Following: "SERVICES"

Insert: "exceeding \$10,000"

Amendment passed as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bergene, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Fritz, Garcia, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: Addy, Cohen, Eudaily, Glaser, Hammond, Peck, Sands.

Total 7

Excused: Gilbert, Marks, Nathe.

Total 3

Absent or not voting: Bradley.

Total 1

That HB 216, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands,

Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Cohen, Glaser, O'Hara.

Total 3

Excused: Gilbert, Marks, Nathe.

Total 3

Absent or not voting: None.

Total 0

HB 69 - Representative Bradley moved that HB 69, second reading copy, be amended as follows:

1. Title, line 6.

Strike: “,”

2. Title, lines 7 and 8.

Strike: “TO” through “MCA”

3. Page 1, lines 16 and 17.

Strike: “or” through “[Title 41, chapter 3]”

4. Page 1, line 24.

Following: “unavailable”

Insert: “or disqualified”

Following: “witness”

Insert: “at the time of the trial”

5. Page 1, lines 24 and 25.

Strike: “, but” through “subject of the”

6. Page 2, line 1.

Strike: “statement”

7. Page 2, lines 13 through 16.

Strike: subsection (4) in its entirety

8. Pages 2 and 3, line 17.

Strike: sections 2 and 3 in their entirety

Renumber: subsequent section

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Kadas, Montayne.

Total 2

Excused: Gilbert, Marks, Nathe.

Total 3

Absent or not voting: Bardanouve.

Total 1

Representatives Gilbert, Marks, and Nathe present at this time.

That HB 69, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bergene, Bradley, Brandewie, J. Brown, Cody, Cohen, Connelly, Darko, Ellerd, Ellison, Fritz, Glaser, Hammond, Hand, Hansen, Harbin, Hart, Howe, Jenkins, Kadas, Keenan, Kennerly, Koehnke, McCormick, Manuel, Menahan, Miles, Miller, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Schye, Switzer, Thoft, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 52

Noes: Abrams, Addy, Asay, Bardanouve, D. Brown, Campbell, Cobb, Compton, Devlin, Donaldson, Driscoll, Ernst, Eudaily, Garcia, Gilbert, Gould, Grady, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jones, Keller, Keyser, Kitselman, Krueger, Lory, Marks, Mercer, Montayne, J.K. Moore, Nelson, Peterson, Poff, Ramirez, Rehberg, Sands, Schultz, Simon, Smith, Spaeth, Swift, Thomas, Waldron.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Harrington moved the adoption of the committee report. Report adopted. (93-3)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 127 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Ream.

Total 1

HB 146 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Glaser, Hannah, Koehnke, O'Connell, Patterson, Pistoria, Sands.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 177 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Zabrocki.

Total 1

Excused: None.

Total 0

Absent or not voting: Kitselman, Marks.

Total 2

HB 195 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell,

O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Ellison, Hannah, Keyser, Ramirez, Rehberg, Swift.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 197 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 227 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Ellerd, Fritz, Marks.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 246 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: D. Brown, Hannah, Nathe.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 257 failed to pass as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, Pavlovich, Peck, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 45

Noes: Abrams, Asay, Bergene, Brandewie, D. Brown, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Harrington, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Peterson, Phillips, Pistoria, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 55

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 263 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet,

O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Campbell, Peck, Ramirez, Sales.

Total 4

Excused: None.

Total 0

Absent or not voting: Ellison.

Total 1

HB 264 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: Ellerd, Sales.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 286 passed as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Addy, Cody, Sales.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 8 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

1/29/85

Correctly enrolled: HB 4, HB 7, HB 20, HB 78.

Examined by the sponsor (Manuel) and found to be correct: HB 4.

Examined by the sponsor (Marks) and found to be correct: HB 7.

Examined by the sponsor (Quilici) and found to be correct: HB 20.

Examined by the sponsor (Williams) and found to be correct: HB 78.

JUDICIARY (Hannah, Chairman):

1/29/85

HB 438, do pass. Report adopted.

HB 439, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent

HB 439

A statement of intent is required for this bill because it grants rule-making authority to the department of revenue.

The purpose of this bill, and Public Law 93-378 on which it is based, is to make available to consumer credit reporting agencies information concerning an individual's delinquent support obligation. The intent of such disclosure is twofold:

(1) to preclude a parent from taking on additional financial burdens inconsistent with the child support obligation; and

(2) to protect other general creditors of the parent by making them aware that a child support debt exists which may subject the assets and wages of the parent to garnishment, seizure, and sale, and the imposition of liens on the parent's real and personal property. However, before disclosure of such sensitive information and because of the potential harm if inaccurate information is disclosed, the department of revenue shall adopt rules and procedures to preserve the privacy of such information until the

parent has had an opportunity to examine the information and to contest its accuracy.

It is intended that the department of revenue should respond within a reasonable time to any request for information. Therefore, to expedite the release of such information, any dispute with the parent over its accuracy should be resolved, whenever possible, under the contested case provisions of the Montana Administrative Procedure Act. The department of revenue is authorized to adopt and enforce such rules as may be necessary to implement such procedures.

The department of revenue is permitted to prescribe a reasonable fee to be paid by the consumer credit reporting agencies to compensate the child support agency for its administrative costs incurred in providing the requested information under this bill. It is intended that the fees should not exceed the actual costs of providing this information, which may be a uniform fee to be applied in all cases or a fee schedule based on the volume of the requests.

HB 441, introduced bill, be amended as follows:

1. Title, line 8.

Following: "DISTRICT COURT"

Insert: "; TO ALLOW THE DEPARTMENT TO ISSUE A WARRANT FOR DISTRRAINT BASED UPON THE DOCKETED ADMINISTRATIVE CHILD SUPPORT ORDER; TO DELETE THE REQUIREMENT FOR A SECOND NOTICE AND HEARING PRIOR TO EXECUTION ON A FILED WARRANT FOR DISTRRAINT; AMENDING SECTION 40-5-241, MCA"

2. Page 2.

Following: line 3

Insert: "(3) The department may issue a warrant for distrainment based upon a properly filed and docketed order pursuant to 40-5-241.

Section 2. Section 40-5-241, MCA, is amended to read:

"40-5-241. Warrant for distrainment. Thirty-one days after receipt or refusal of notice of debt under provisions of 40-5-222 or 31 days after service of notice of debt or as otherwise appropriate under the provisions of 40-5-223 and 40-5-224, the department may issue a warrant for distrainment based on the amount of the support debt. The warrant is subject to the provisions of 15-1-701, 15-1-704, ~~15-1-705~~, 15-1-708, and 15-1-709, with references to "tax" taken to mean "support debt" and references to "taxpayer" taken to mean "person owing the support debt", as well as the provisions of this part. Notwithstanding the provisions of subsection (3) of 15-1-705, an appeal from a hearing may be made directly to district court, as provided in 40-5-253, and is not appealable to the state tax appeal board."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

1/29/85

HB 249, referred to the committee of the whole without recommendation. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent

HB 249

A statement of intent for this bill is necessary because section 3 grants the department of administration the authority to adopt rules to equitably administer the employee pay-for-performance bonus program.

It is contemplated that the rules will address the following:

(1) professional standards for equitable performance appraisal and recipient selection procedures which must be met before any agency may implement the bill;

(2) the maximum size of the monetary pay-for-performance bonus which an employee may receive. It is intended that the award be large enough to be of significance so that it will motivate employees but no larger than necessary to satisfy that purpose.

(3) the maximum percentage of eligible employees in each agency which may receive a bonus in 1 year. It is intended that this percentage reasonably reflect the percentage of state employees who exhibit superior performance—that it not be so large as to award average performance and that it not be so small as to be out of reach of an “average” employee who through extra effort performs at an above average level. Initially it is intended that monetary awards will be limited to 5% of eligible employees.

(4) procedures for the review of employee concerns regarding the administration of the program;

(5) procedures to maintain the integrity of the program through the review of agency performance appraisal and performance awards procedures.

HJR 10, do pass. Report adopted.

TAXATION (Devlin, Chairman):

1/25/85

HB 26, introduced bill, be amended as follows:

1. Page 1, line 14.

Following: “provisions”

Insert: “— levy limitations”

2. Page 1, line 17.

Following: “period”

Insert: “as defined in 15-24-1304”

3. Page 1, line 18.

Following: “with”

Insert: “subsections (2) and (3) and”

4. Page 1, line 19.

Following: “applied”

Insert: “only as provided in subsection (3) and are limited”

Following: “to”

Strike: “any”

Insert: “the”

5. Page 2, line 5.

Following: “by”

Insert: “separate”

Following: “resolution”

Insert: “for each project”

6. Page 2.

Following: line 7

Insert: “(3) The tax benefit described in subsection (1) applies only to the number of mills levied and assessed for high school district and elementary school district purposes and to the number of mills levied and assessed by the governing body approving the benefit over which the governing body has sole discretion. In no case may the benefit described in subsection (1) apply to levies or assessments required under state law.”

And, as amended, do pass. Report adopted.

HB 241, introduced bill, be amended as follows:

1/28/85

1. Title, lines 4 and 5.

Following: "AN ACT TO" on line 4

Strike: "PROVIDE FOR THE PRORATION"

Insert: "REVISE THE METHOD FOR DETERMINING THE AMOUNT"

2. Title, line 5.

Following: "TAX"

Insert: "DUE"

3. Page 2, line 20.

Following: "are"

Insert: "(a) one-half of"

4. Page 2, line 21.

Following: "home"

Strike: remainder of lines 21 through 24

Insert: "if the declaration is applied for not more than 6 months from the date of the notice of taxes due; or

(b) the total taxes levied on the mobile home if the declaration is applied for more than 6 months from the date of the notice of taxes due.

(5) In no case is the owner of the mobile home entitled to a refund for personal property taxes paid prior to the declaration required in subsection (1)."

Renumber: subsequent subsections

5. Page 2, line 25.

Following: "the"

Strike: "prorated"

Following: "taxes"

Insert: "due"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 101, introduced bill, be amended as follows:

1. Page 1, line 24.

Following: "horsepower."

Insert: "The term does not include golf carts."

2. Page 2, line 9.

Following: "age"

Insert: "and engine size"

3. Page 2.

Following: line 10

Strike: lines 11 and 12 in their entirety

Insert: "

	500cc	more than
	or less	500cc
less than 5 years old	\$32.50	\$52.50
5 years old or over	17.50	27.50"

And, as amended, do not pass.

HB 101 - Representatives D. Brown, Krueger, Koehnke, Harp, Iverson, Harrington, Ream, Quilici, Manuel, Driscoll, Montayne, Ellison, Patterson, Nisbet, Schye, Menahan, Harbin, Keenan, Marks, and Pavlovich objected to the adverse committee report on HB 101, and requested that the bill be printed and placed on second reading.

1/29/85

MOTIONS

Representative Winslow moved that the House reconsider its action in failing to pass HB 257, third reading today, and that it be placed on second reading on the 21st legislative day.

After debate, Representative Gould moved the previous question. Motion carried.

Representative Winslow's motion to reconsider carried. (98-2)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

The Montana Historical Society is hosting a legislative reception tonight beginning at 7:00 p.m. which will feature tours of the Historical Society and a short film on Charlie Russell.

Representative Harper moved that the House adjourn until 1:00 p.m., January 30, 1985.

Motion carried.

House adjourned at 3:22 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

TWENTY-FIRST LEGISLATIVE DAY

Helena, Montana
January 30, 1985

House Chambers
State Capitol

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by Father Jim Reeves. Pledge of Allegiance to the Flag.

Roll call. All members present except Abrams, Asay, Manuel, Menahan, Miles, Miller, Waldron, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twentieth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/29/85
Correctly printed: HB 223, HB 272, HB 349, HB 438, HB 454.
Considered correctly engrossed: HB 175, HB 258, HB 260, HB 285, HB 350.

1/30/85
Correctly printed: HB 26, HB 166, HB 241, HB 249, HB 439, HB 441, HJR 10.

Correctly engrossed: HB 69, HB 216.

Correctly enrolled: HB 87.

Examined by the sponsor (Quilici) and found to be correct: HB 87.

Signed by the Speaker at 5:00 p.m., 1/29/85: HB 4, HB 7, HB 20, HB 78.

Delivered to the Governor for his approval at 12:55 p.m., 1/30/85: HB 4, HB 7, HB 20, HB 78.

HUMAN SERVICES AND AGING (Keenan, Chairman): 1/30/85
HB 228, introduced bill, be amended as follows:

1. Page 1.

Following: line 15

Insert: "Section 1. Short title. [Sections 1 through 11] may be cited as the "Montana Living Will Act"."

Renumber: subsequent sections

2. Page 2.

Following: line 25

Insert: "Only one of the two witnesses may be related to the declarant."

3. Page 3, line 20.

Following: "pain."

Insert: "It is my intention that this declaration shall be valid until revoked by me."

4. Page 8, line 21.

Following: "killing"

Strike: "or euthanasia"

Renumber: internal references

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Darko, Chairman): 1/29/85
HB 166, do pass. Report adopted.

Adverse Committee Report

HB 173, introduced bill, be amended as follows:

1. Title, line 7.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 4, line 2.

Following: "against"

Insert: "improvements on"

3. Page 4.

Following: line 2

Insert: "NEW SECTION. Section 2. Effective date. This act is effective July 1, 1985."

And, as amended, do not pass.

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

1/29/85

HB 76, introduced by M. Williams

HB 123, introduced by Thoft

HJR 6, introduced by J. Brown

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 558, introduced by Rehberg, Hannah. Referred to Committee on Local Government.

HB 559, introduced by Addy. Referred to Committee on Business and Labor.

HB 560, introduced by Bardanouve, (By Request of the Department of Institutions). Referred to Committee on Human Services and Aging.

HB 561, introduced by Miller, (By Request of the Board of Cosmetologists). Referred to Committee on Business and Labor.

HB 562, introduced by Miller, (By Request of the Board of Cosmetologists). Referred to Committee on Business and Labor.

HB 563, introduced by Miller, (By Request of the Board of Cosmetologists). Referred to Committee on Business and Labor.

HB 564, introduced by Miller. Referred to Committee on Local Government.

HB 565, introduced by Fritz, Peck, Thoft, Spaeth, Manuel, (By Request of the Montana Historical Society). Referred to Committee on Appropriations.

HB 566, introduced by Thomas. Referred to Committee on Judiciary.

HB 567, introduced by Schultz, Simon, Ernst, Hanson, McCormick, Compton, Jenkins, Devlin, Patterson, Iverson, O'Connell, Peck, Pistoria, J. Hammond, Garcia, Ream, Glaser, Bachini, Hansen. Referred to Committee on Business and Labor.

HB 568, introduced by J.K. Moore, Menahan, Thayer. Referred to Committee on Business and Labor.

HB 569, introduced by Hansen. Referred to Committee on Local Government.

HB 570, introduced by Mercer, Harding, Pinsoneault, Thomas, J. Hammond, Pistoria, Patterson, Keller, Harbin, E. Smith, Gould. Referred to Committee on State Administration.

HB 571, introduced by Bergene, Keating, Christiaens. Referred to Committee on Business and Labor.

HB 572, introduced by Donaldson, Asay, Keller, J. Moore, Switzer, Compton, Koehnke, Nathe, Ellison, Peterson, Raney. Referred to Committee on State Administration.

HB 573, introduced by Peterson, (By Request of the Department of Justice, Division of Motor Vehicles). Referred to Committee on Business and Labor.

HB 574, introduced by Thomas, Quilici, (By Request of the Montana Public Service Commission). Referred to Committee on Business and Labor.

HB 575, introduced by Kadas. Referred to Committee on Judiciary.

HJR 18, introduced by Lory, Ream, Waldron, Hansen, Kadas, Eudaily, Fritz, (By Request of the University of Montana). Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Sands in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Miles present at this time.

HB 257 - Representative J. Moore moved that HB 257, second reading copy, be amended as follows:

1. Page 1, line 14.

Strike: "special"

Following: "economic"

Insert: "or other special"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 91

Noes: Kadas, McCormick, Rapp-Svrcek.
Total 3

Excused: Abrams, Asay, Manuel, Menahan, Miller, Waldron.
Total 6

Absent or not voting: None.
Total 0

Representative Harper moved that HB 257, second reading copy, be further amended as follows:

1. Page 1, line 15.

Following: "interest"

Insert: ", if identifiable,"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, J. Brown, Campbell, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Krueger, Lory, McCormick, Miles, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Simon, Spaeth, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 48

Noes: Bergene, Brandewie, D. Brown, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Marks, Mercer, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Smith, Swift, Switzer, Thoft, Thomas, Wallin.
Total 46

Excused: Abrams, Asay, Manuel, Menahan, Miller, Waldron.
Total 6

Absent or not voting: None.
Total 0

That HB 257, as amended, do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Switzer, Thoft, Thomas, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 85

Noes: Asay, Campbell, Donaldson, Hayne, Jones, Ramirez, Smith, Swift, Wallin.
Total 9

Paired: Quilici, Aye; Asay, No.

Excused: Abrams, Manuel, Menahan, Miller, Waldron.
Total 5

Absent or not voting: O'Connell.
Total 1

Representative Manuel present at this time.

HB 217 - That HB 217 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp,

Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Abrams, Asay, Menahan, Miller, Waldron.

Total 5

Absent or not voting: Bardanouve, Ellison.

Total 2

Representative Abrams present at this time.

HB 280 - That HB 280 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Asay, Menahan, Miller, Waldron.

Total 4

Absent or not voting: Bardanouve.

Total 1

HB 233 - That HB 233 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Asay, Menahan, Miller, Waldron.

Total 4

Absent or not voting: Bardanouve, Harrington.

Total 2

HB 251 - Representative Ramirez moved that HB 251 do pass. Representative Pavlovich made a substitute motion that consideration of HB 251 be passed for the day. Motion carried.

HB 267 - That HB 267 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Switzer.

Total 1

Excused: Asay, Menahan, Miller, Waldron.

Total 4

Absent or not voting: Pavlovich.

Total 1

HB 316 - That HB 316 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Ellerd, Hanson.

Total 2

Excused: Asay, Menahan, Miller, Waldron.

Total 4

Absent or not voting: None.

Total 0

Representative Menahan present at this time.

HB 425 - That HB 425 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Asay, Miller, Waldron.

Total 3

Absent or not voting: None.

Total 0

HB 426 - Representative Spaeth moved that consideration of HB 426 be passed for the day. Motion carried.

Representative Miller present at this time.

HB 169 - That HB 169 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Asay, Waldron.

Total 2

Absent or not voting: Ellison, O'Connell, Williams.

Total 3

HB 209 - Representative Eudaily moved that HB 209, second reading copy, be amended as follows:

1. Title, line 12.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 6.

Following: line 3

Insert: "NEW SECTION. Section 3. Effective date. This act is effective on passage and approval."

Amendment passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Asay, Waldron.

Total 2

Absent or not voting: Marks, J. Moore, Nathe, O'Connell, O'Hara, Poff.

Total 6

Representatives Asay and Waldron present at this time.

That HB 209, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: D. Brown, Pistoria.

Total 2

Excused: None.

Total 0

Absent or not voting: Lory.

Total 1

HB 213 - That HB 213 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne,

Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 223 - That HB 223 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: Mercer.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Sands moved the adoption of the committee report. Report adopted. (99-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 70 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer,

Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Bardanouve, Hannah, Nisbet, Peck, Raney, Schye, Waldron.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 175 passed as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nelson, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Schultz, Schye, Simon, Smith, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 79

Noes: Bachini, J. Brown, Devlin, Ellerd, Ernst, Hand, Hannah, Hanson, Keyser, McCormick, J.K. Moore, Nathe, Nisbet, Patterson, Sales, Sands, Spaeth, Swift, Switzer, Thomas.

Total 20

Excused: None.

Total 0

Absent or not voting: Raney.

Total 1

HB 258 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 260 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 285 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hansen, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: Bergene, D. Brown, Driscoll, Hammond, Hannah, Harper, Menahan, Montayne, Waldron.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 350 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks,

Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Keyser.
Total 1

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/30/85
Correctly printed: HB 101.
Signed by the Speaker at 2:30 p.m., 1/30/85: HB 87.

HIGHWAYS AND TRANSPORTATION (Harp, Chairman): 2/29/85
HB 57, do pass. Report adopted.
HB 89, introduced bill, be amended as follows:

1. Page 2, line 24 through line 4, page 3.

Following: line 23

Strike: subsection (5) in its entirety

Insert: "(5) A special fuel user need not display the original or reproduced copy of the special fuel user's permit as required by subsection (2) if:

(a) the motor vehicle operated by him is a vehicle that is part of a motor vehicle fleet based in Montana that is proportionally registered under the provisions of 61-3-711 through 61-3-733;

(b) he obtains a registration card issued by the department of highways indicating the special fuel user's permit number; and

(c) the registration card indicating the special fuel user's permit number is carried in the vehicle and is available for inspection."

And, as amended, do pass. Report adopted.

JUDICIARY (Hannah, Chairman): 1/30/85
HB 445, introduced bill, be amended as follows:

1. Title, line 9.

Strike: "EQUAL"

Insert: "UP"

2. Page 2, line 7.

Strike: "must"

Insert: "may"

Strike: "the"

Insert: "an"

3. Page 2, line 8.

Strike: "of"

Insert: "up to"

4. Page 2.

Following: line 20

Strike: subsection (5) in its entirety

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

1/30/85

HB 266, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 266

A statement of intent is required for this bill because it grants rule-making authority to the department of revenue. This bill is intended to authorize the department of revenue to adopt rules necessary to implement the payment of taxes by electronic funds transfer. This would include rules coordinating the filing of tax returns with the payment of taxes by electronic funds transfer, rules specifying the form and content of the electronic funds transfer message in order to ensure the proper receipt and crediting of the tax payment, and other necessary rules. This is not intended to authorize the department to raise the \$500,000 limitation, to select which taxes under Title 15 will be subject to the requirement, or to otherwise differentiate between taxpayers.

HB 268, do pass. Report adopted.

HB 270, do pass. Report adopted.

Adverse Committee Reports

HB 269, do not pass.

HB 348, introduced bill, be amended as follows:

1. Title, line 9.

Following: "ELECTION"

Insert: "EXCEPT UNDER CERTAIN CIRCUMSTANCES"

2. Page 1, line 14.

Strike: "A"

Insert: "(1) Except as provided in subsections (2) and (3), a"

3. Page 1.

Following: line 21

Insert: "(2) A legislator who was not a resident of the legislative district that he was elected to represent may seek reelection in the same district.

(3) In the first election following redistricting and reapportionment before the expiration of a legislator's term of office, a legislator may seek reelection in the district that contains the greatest portion of the population that he previously represented."

4. Page 2, line 2.

Following: "a"

Strike: "for the legislature"

Insert: "legislative"

5. Page 2, line 4.

Following: "election"

Insert: "except under certain circumstances"

6. Page 2, line 5.

Following: "a"

Strike: "for the legislature"

Insert: "legislative"

7. Page 2, line 7.

Following: "election"

Insert: "except under certain circumstances"

And, as amended, do not pass.

HB 348 - Representatives Sales, O'Connell, Garcia, Smith, Pistoria, Kennerly, Phillips, Jones, J. Brown, J.K. Moore, Harbin, Koehnke, Montayne, Nelson, Peck, Bachini, Connelly, Holliday, Schye, and Darko objected to the adverse committee report on HB 348, and requested that the bill be printed and placed on second reading.

1/30/85

TAXATION (Devlin, Chairman):

1/30/85

HB 315, introduced bill, be amended as follows:

1. Page 4, line 13.

Strike: "1984"

Insert: "1985"

And, as amended, do pass. Report adopted.

HB 346, introduced bill, be amended as follows:

1. Page 2, line 5.

Following: "15-70-204"

Strike: "at the rate of 15 cents"

And, as amended, do pass. Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

The Montana Contractor's Association is hosting a reception tonight at Jorgenson's starting at 6:00 p.m.

Representative Rehberg introduced Scott Llewellyn, one of this week's pages from Billings, and announced that he was a recipient of one of the United States Senate scholarships for summer 1985.

Speaker Vincent reported to the membership that they had completely processed an average of 7 bills per day since the session started. He informed them that they would have to double that output to 14 bills a day if all the legislation slated to be introduced was to be processed by transmittal deadline.

Representative Harper moved that the House adjourn until 1:00 p.m., January 31, 1985.

Motion carried.

House adjourned at 3:00 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

TWENTY-SECOND LEGISLATIVE DAY

Helena, Montana
January 31, 1985

House Chambers
State Capitol

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Driscoll, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twenty-first legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/30/85

Correctly printed: HB 57, HB 89, HB 268, HB 270, HB 315.

Considered correctly engrossed: HB 169, HB 213, HB 217, HB 223, HB 233, HB 257, HB 267, HB 280, HB 316, HB 425.

1/31/85
Correctly printed: HB 215, HB 228, HB 266, HB 346, HB 348, HB 445.

Correctly engrossed: HB 209.

Delivered to the Governor for his approval at 9:55 a.m., 1/31/85: HB 87.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Schultz, Chairman): 1/30/85

HB 459, introduced bill, be amended as follows:

1. Title.

Following: line 10

Strike: "30-2-401,"

2. Page 2.

Following: line 11

Strike: section 2 in its entirety

Renumber: subsequent sections

3. Page 7, line 9.

Following: "adopted"

Strike: "under 81-8-231"

Insert: "to implement those sections"

4. Page 16, line 22.

Following: "department"

Strike: "under 81-8-231"

Insert: "to implement those sections"

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Pavlovich, Chairman): 1/30/85

HB 215, do pass. Report adopted.

HB 221, introduced bill, be amended as follows:

1. Title, line 4.

Following: "TO"

Strike: remainder of line 4 through "FOR" on line 6

Insert: "REQUIRE"

2. Title, line 6.

Following: "ON"

Insert: "RESIDENTIAL TENANTS"

3. Title, line 7.

Strike: "SECTIONS"

Insert: "SECTION"

Strike: ", 70-25-102, 70-25-204, AND 70-25-206" on line 8

4. Page 2, line 17 through page 5, line 3.

Strike: sections 2 through 4 in their entirety

Renumber: subsequent sections

5. Page 5, line 7.

Following: "of"

Strike: "6"

Insert: "12"

6. Page 5, lines 9 and 11.

Strike: "5"

Insert: "2"

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 303, do not pass.

LOCAL GOVERNMENT (Darko, Chairman):

1/31/85

Adverse Committee Report

HB 173, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connolly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Sands.

Total 1

Excused: Driscoll.

Total 1

Absent or not voting: Hayne.

Total 1

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

1/31/85

HB 5, introduced by Manuel

HB 60, introduced by Hanson

HB 61, introduced by Hanson

HB 110, introduced by Schye

HB 113, introduced by Miles

MOTIONS

Representative Harper moved that the free conference committee on SJR 3 be dissolved and that the Speaker be authorized to appoint a new free conference committee of three to confer with a like committee from the Senate on SJR 3. Motion carried.

The Speaker appointed the following members:

Representative Ramirez, Chairman

Representative Harper

Representative Marks

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 576, introduced by Fritz, Connelly, Cohen, J. Hammond, Peterson, Nelson. Referred to Committee on State Administration.

HB 577, introduced by Bradley, Ramirez, Haffey, Marks, J.K. Moore, Krueger, Spaeth, Van Valkenburg, M. Williams, Peck, Keenan, J. Hammond, B. Williams, Addy, Thomas, Halligan, Harp, Boylan, Galt, Pavlovich, D. Brown, Stephens, B. Brown, Bachini, R. Manning, Keyser, O'Hara, Mercer, (By Request of the Public Service Commission). Referred to Committee on Judiciary.

HB 578, introduced by Keyser, Ramirez, Quilici, Menahan, (By Request of the Securities Division of the State Auditor's Office). Referred to Committee on Business and Labor.

HB 579, introduced by Winslow, (By Request of the Department of Institutions). Referred to Committee on Human Services and Aging.

HB 580, introduced by Darko, Schye, Peterson, Mohar, J. Moore, Halligan. Referred to Committee on Local Government.

HB 581, introduced by Wallin, Ellison. Referred to Committee on Fish and Game.

HB 582, introduced by Wallin. Referred to Committee on Local Government.

HB 583, introduced by Wallin, Keating. Referred to Committee on Business and Labor.

HB 584, introduced by J. Brown. Referred to Committee on Business and Labor.

HB 585, introduced by Gould, Campbell. Referred to Committee on Judiciary.

HB 586, introduced by Gould, Campbell, (By Request of the Department of Institutions). Referred to Committee on Judiciary.

HB 587, introduced by Gould, Campbell, (By Request of the Department of Institutions). Referred to Committee on Judiciary.

HB 588, introduced by Gould, Campbell, (By Request of the Department of Institutions). Referred to Committee on Judiciary.

HB 589, introduced by Gould, Campbell, (By Request of the Board of Crime Control). Referred to Committee on Appropriations.

HB 590, introduced by Keenan. Referred to Committee on Taxation.

HB 591, introduced by Bardanouve, (By Request of the Office of Budget and Program Planning). Referred to Committee on Education and Cultural Resources.

HB 592, introduced by Bardanouve. Referred to Committee on Business and Labor.

HB 593, introduced by Menahan, (By Request of the Board of Morticians). Referred to Committee on Business and Labor.

HB 594, introduced by Cobb. Referred to Committee on Judiciary.

HB 595, introduced by Bradley. Referred to Committee on Human Services and Aging.

HB 596, introduced by Donaldson. Referred to Committee on Taxation.

HB 597, introduced by Ellerd. Referred to Committee on Business and Labor.

HB 598, introduced by Asay. Referred to Committee on Business and Labor.

HB 599, introduced by Asay. Referred to Committee on Business and Labor.

HB 600, introduced by Mercer, Swift, Thomas, Nathe, O'Hara, Hanson, Ernst, Jenkins, Schultz, Harper, J. Hammond, Glaser, Harding, Pinoneault. Referred to Committee on Judiciary.

HB 601, introduced by Thoft, Grady, Cobb. Referred to Committee on State Administration.

HB 602, introduced by Fritz, Schye, Eck, Lory, Blaylock, B. Brown. Referred to Committee on Business and Labor.

HB 603, introduced by Pavlovich, Menahan, D. Brown, Harrington, Lynch, Quilici. Referred to Committee on State Administration.

HB 604, introduced by Keyser, Devlin, Schultz, Hand, Koehnke, J. Moore, Grady, Marks, Holliday, Harp, Glaser, Phillips. Referred to Committee on State Administration.

HJR 19, introduced by Waldron, Mazurek. Referred to Committee on Human Services and Aging.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Rapp-Svrcek in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Driscoll present at this time.

HB 200 - Representative Waldron moved that HB 200 be placed below HB 251. Motion carried.

Representative Winslow excused at this time.

HB 251 - That HB 251 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Zabrocki, Mr. Speaker.
Total 98

Noes: Glaser.

Total 1

Excused: Winslow.

Total 1

Absent or not voting: None.

Total 0

HB 200 - Representative Waldron moved that HB 200 be placed below HB 408. Motion carried.

Representative Winslow present at this time.

HB 426 - That HB 426 do pass. Motion failed as follows:

Ayes: Abrams, Addy, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Eudaily, Fritz, Garcia, Hammond, Hand, Hansen, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Montayne, Nisbet, O'Connell, Peck, Pistoria, Ream, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.
Total 40

Noes: Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harbin, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Marks, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.
Total 59

Excused: None.

Total 0

Absent or not voting: Bardanouve.

Total 1

That HB 426 do not pass. Motion carried as follows:

Ayes: Asay, Bachini, Bergene, Bradley, D. Brown, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Gilbert, Glaser, Gould, Hannah, Hanson, Harbin, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Marks, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.
Total 58

Noes: Abrams, Addy, J. Brown, Cohen, Connelly, Darko, Driscoll, Eudaily, Fritz, Garcia, Hammond, Hand, Hansen, Harper, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Montayne, Nisbet, O'Connell, Peck, Pistoria, Ream, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.
Total 37

Excused: None.

Total 0

Absent or not voting: Bardanouve, Brandewie, Grady, Harp, Harrington.

Total 5

HB 272 - That HB 272 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Driscoll, Hart, Kennerly, Nisbet.

Total 4

Excused: None.

Total 0

Absent or not voting: Bardanoue, Marks, O'Hara.

Total 3

HB 317 - That HB 317 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: Hannah, Jones, Keyser, J.K. Moore, Patterson, Schultz, Smith, Switzer.

Total 8

Excused: None.

Total 0

Absent or not voting: Bardanoue, Nathe, Pistoria.

Total 3

HB 349 - That HB 349 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanoue, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Harrington, Ream.

Total 2

HB 408 - Representative Spaeth moved that HB 408 do pass. Representative Ramirez made a substitute motion that HB 408 do not pass. Motion carried as follows:

Ayes: Asay, Bergene, Bradley, Brandewie, Campbell, Cobb, Compton, Connelly, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Harper, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 55

Noes: Abrams, Addy, Bachini, Bardanouve, D. Brown, J. Brown, Cody, Cohen, Darko, Driscoll, Fritz, Garcia, Hammond, Hansen, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sands, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 45

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Rapp-Svrcek moved the adoption of the committee report. Report adopted. (100-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 69 failed to pass as follows:

Ayes: Bachini, Bergene, Bradley, J. Brown, Cody, Cohen, Connelly, Darko, Ellerd, Fritz, Hammond, Hand, Hansen, Harbin, Harrington, Hart, Howe, Jenkins, Kadas, Keenan, Kennerly, Koehnke, McCormick, Manuel, Menahan, Miles, Miller, Montayne, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Schye, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 48

Noes: Abrams, Addy, Asay, Bardanouve, Brandewie, D. Brown, Campbell, Cobb, Compton, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harper, Hayne, Holliday, Iverson, Jones, Keller, Keyser, Kitselman, Krueger, Lory, Marks, Mercer, J.K. Moore, Nelson, Patterson, Peterson, Ramirez, Rehberg, Sands,

Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Winslow.

Total 51

Excused: None.

Total 0

Absent or not voting: Harp.

Total 1

HB 169 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: Hannah.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 213 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Bergene, O'Connell, Waldron.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 216 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: Glaser.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 217 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 223 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg,

Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: Asay, Mercer.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 233 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: Keyser, Montayne.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 257 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Switzer, Thoft, Thomas, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: Campbell, Donaldson, Hayne, J.K. Moore, Nelson, Ramirez, Smith, Swift, Wallin.

Total 9

Excused: None.

Total 0

Absent or not voting: Hansen, Menahan.

Total 2

HB 267 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Schultz.
Total 1

HB 280 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 316 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg,

Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Ellerd, Montayne, Zabrocki.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 425 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

REPORTS OF STANDING COMMITTEES

JUDICIARY (Hannah, Chairman):

1/31/85

HB 390, do pass. Report adopted.

Adverse Committee Report

HB 370, do not pass.

STATE ADMINISTRATION (Sales, Chairman):

1/31/85

HB 289, do pass. Report adopted.

HB 297, do pass. Report adopted.

HB 302, introduced bill, be amended as follows:

1. Page 1, line 21.

Strike: "that does not border this state"

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 302

It is the intent of this bill to allow the governor to enter into interstate mutual aid agreements with other states for the purposes of:

- (1) providing state resources such as manpower, equipment, and material; and
- (2) coordinating the provision of volunteer resources to assist other states in response and recovery activities relating to earthquakes, floods, and other disasters.

The governor shall enter these agreements and shall provide for their implementation, including the appointment of contact persons within this state and establishment of a contact procedure with participating states.

Although the governor is charged with implementation of this bill, he may delegate authority to the department of military affairs or other appropriate agency for day-to-day administration of the compact.

Adverse Committee Reports

HB 269, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Addy, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 84

Noes: Abrams, Bachini, Hansen, Harper, Keyser, Marks, Miles, Peck, Sales, Thomas, Waldron.

Total 11

Excused: None.

Total 0

Absent or not voting: Asay, Bardanouve, Ellison, Hart, Kadas.

Total 5

HB 204, do not pass.

HB 281, do not pass.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

The Senior Citizens Association is sponsoring a reception from 6:00 to 8:00 p.m. tonight in Room 56 at Jorgenson's.

The Montana Bankers' Association is sponsoring a reception from 6:00 to 7:30 p.m. tonight at the Colonial.

Representative Harper moved that the House adjourn until 1:00 p.m., February 1, 1985.

Motion carried.

House adjourned at 3:05 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

TWENTY-THIRD LEGISLATIVE DAY

Helena, Montana
February 1, 1985

House Chambers
State Capitol

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by Father Jim Reeves. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twenty-second legislative day, find the same to be correct.

Menahan, Chairman

COMMUNICATIONS AND PETITIONS

Speaker Pro-tem Manuel in the Chair.

Speaker Vincent arose on privilege of the House to implore the membership to expedite the business on committee of the whole. He pointed out that at the present pace bills are being processed, it will take 140 more hours of second reading alone to consider the bills already introduced.

He commended the members for the good work being done by committees and said the total output was ahead of last year's schedule, but compared to the amount of work ahead, the membership needed to redouble its efforts to be efficient now so that they don't find themselves processing hundreds of pieces of legislation near transmittal with no time for question or debate.

Speaker Vincent resumed the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

1/31/85

Correctly printed: HB 221.

Considered correctly engrossed: HB 251, HB 272, HB 317, HB 349.

Examined by the sponsor (Williams) and found to be correct: HB 76.

Examined by the sponsor (Thoft) and found to be correct: HB 123.

Examined by the sponsor (J. Brown) and found to be correct: HJR 6.

2/1/85

Correctly printed: HB 289, HB 297, HB 302, HB 390, HB 459.

Correctly enrolled: HB 76, HB 123, HJR 6.

Examined by the sponsor (Manuel) and found to be correct: HB 5.

Examined by the sponsor (Hanson) and found to be correct: HB 60, HB 61.

Examined by the sponsor (Schye) and found to be correct: HB 110.

Examined by the sponsor (Miles) and found to be correct: HB 113.

BUSINESS AND LABOR (Pavlovich, Chairman):

2/1/85

Adverse Committee Report

HB 303, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe,

Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Abrams, Asay, Kadas, Williams.

Total 4

FISH AND GAME (Ream, Chairman):

1/31/85

HB 2, introduced bill, be amended as follows:

1. Page 3, line 13.

Following: "of"

Insert: "any"

2. Page 3, line 14.

Following: line 13

Strike: "starting July 1"

Insert: "after June 30"

3. Page 3, line 15.

Following: "the"

Insert: "development"

Following: "operation"

Insert: ", "

4. Page 3, line 16.

Strike: "so"

Following: "acquired"

Insert: "with funds allocated under this subsection"

And, as amended, do pass. Report adopted.

HB 159, introduced bill, be amended as follows:

1. Page 2, line 6.

Strike: "shall"

Insert: "may"

And, as amended, do pass. Report adopted.

HB 282, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "PERMIT"

Insert: "LICENSE"

2. Page 1, line 10.

Strike: "permit"

Insert: "license"

3. Page 1, line 11.

Strike: "permit"

Insert: "license"

4. Page 1, line 13.

Strike: "permit"

Insert: "license"

5. Page 1, line 14.

Strike: "nonprofit organization"

Insert: "wildlife conservation organization involved in the conservation of mountain sheep"

6. Page 1, line 15.

Strike: "permit"

Insert: "license"

7. Page 1, line 16.

Strike: "nonprofit"

Insert: "authorized"

8. Page 1, line 21.

Following: "sheep."

Insert: "The proceeds from the auction must be used in addition to any other funds the department uses for the management of mountain sheep."

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 282

House Bill No. 282 requires a statement of intent because section 1 authorizes the fish and game commission to establish rules for the use of the license to be auctioned and for the conduct of the auction.

It is the intent of the legislature that the commission, in drafting rules, shall consult with other states such as Wyoming, Utah, and Nevada which have similar legislation. The commission shall strive to maximize the revenue generated by the auction, and to that end shall select the method of auction which it perceives will best attain that objective.

Because revenue from the auction of the license is not predictable, it is the intent of the legislature that the department shall use such money only for special projects related to mountain sheep research, management, and habitat improvement, and such funds may not be budgeted or used in place of funds regularly appropriated by the legislature for mountain sheep related purposes.

HIGHWAYS AND TRANSPORTATION (Harp, Chairman): 1/31/85

HB 185, do pass. Report adopted.

Adverse Committee Reports

HB 35, do not pass.

HB 55, do not pass.

JUDICIARY (Hannah, Chairman): 2/1/85

HB 476, do pass. Report adopted.

Adverse Committee Report

HB 370 - Representatives Montayne, Gould, D. Brown, Mercer, Poff, Keenan, Pistoria, Garcia, Darko, O'Connell, Kennerly, Harbin, Holliday, Harper, J. Moore, O'Hara, Zabrocki, Koehnke, Campbell, and Schye objected to the adverse committee report on HB 370, and requested that the bill be printed and placed on second reading. 2/1/85

LOCAL GOVERNMENT (Darko, Chairman): 1/31/85

HB 248, do pass. Report adopted.

Adverse Committee Report

HB 135, do not pass.

TAXATION (Devlin, Chairman):

1/31/85

Adverse Committee Report

HB 229, introduced bill, be amended as follows:

1. Page 2, line 1.
Following: "March"
Strike: "31"
Insert: "1"

And, as amended, do not pass.

MOTIONS

Representative Spaeth moved that the House reconsider its action in failing to pass HB 426 on second reading yesterday. Motion carried.

Representative Pavlovich moved that HB 571 be taken from the Committee on Business and Labor and rereferred to the Committee on Human Services and Aging. Motion carried.

Representative D. Brown moved that consideration of HB 101, second reading this day, be passed until the 26th legislative day. Motion carried.

MESSAGES FROM THE OTHER HOUSE

House bill concurred in and returned to the House:

1/31/85

HB 107, introduced by Miller

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

1/31/85

HB 119, introduced by Miles

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 605, introduced by Connelly, Lory, (By Request of the Department of Institutions). Referred to Committee on Human Services and Aging.

HB 606, introduced by Campbell, Wallin, (By Request of the Department of Justice, Motor Vehicles Division). Referred to Committee on Business and Labor.

HB 607, introduced by Quilici, Peck, Neuman, Marks, Asay, O'Hara, Pavlovich, Abrams, Lynch, Crippen, Eck, Hirsch, B. Williams, D. Brown, Iverson, Holliday, McCallum, Harp, Harrington, Menahan, Haffey, Mazurek, Spaeth, Manuel, Conover, Jacobson, (By Request of the Governor). Referred to Committee on Taxation.

HB 608, introduced by M. Williams. Referred to Committee on Education and Cultural Resources.

HB 609, introduced by Ramirez. Referred to Committee on Judiciary.

HB 610, introduced by Harrington, Menahan, Quilici, Lynch, Pavlovich, Keenan, D. Brown, Krueger, Stimatz, Haffey, Jacobson. Referred to Committee on Business and Labor.

HB 611, introduced by Devlin, Ellison, Switzer, Holliday, E. Smith, Asay, Keyser, Hanson, Phillips, Abrams, Keller, Thoft, Nathe, Tveit. Referred to Committee on Fish and Game.

- HB 612**, introduced by Addy, Fuller, Christiaens. Referred to Committee on Local Government.
- HB 613**, introduced by Hannah, Rehberg, Campbell, C. Smith, J.K. Moore, Holliday, Shaw, Spaeth, Keating, Hand, Thayer, Christiaens, (By Request of the Secretary of State). Referred to Committee on State Administration.
- HB 614**, introduced by D. Brown. Referred to Committee on Local Government.
- HB 615**, introduced by Menahan, Pavlovich, Driscoll, Krueger, J. Moore, Harrington, Quilici, Keenan, Miles, D. Brown, Nisbet, Schye, Cody, Poff, Raney, Darko, Harbin. Referred to Committee on Appropriations.
- HB 616**, introduced by J. Brown, Mazurek, Simon. Referred to Committee on Business and Labor.
- HB 617**, introduced by J. Hammond, Zabrocki, Mercer, Devlin. Referred to Committee on Taxation.
- HB 618**, introduced by Sands. Referred to Committee on Business and Labor.
- HB 619**, introduced by Sands. Referred to Committee on Judiciary.
- HB 620**, introduced by Bradley, Ramirez, Hannah, Mazurek, Van Valkenburg, D. Brown, Driscoll, Spaeth, Marks, Addy. Referred to Committee on Judiciary.
- HB 621**, introduced by Holliday, Schultz, Ellerd, Koehnke, Manuel, (By Request of the Department of Agriculture). Referred to Committee on Agriculture.
- HB 622**, introduced by Thoft. Referred to Committee on Judiciary.
- HB 623**, introduced by Wallin, (By Request of the Montana Health Facility Authority). Referred to Committee on State Administration.
- HB 624**, introduced by Cohen. Referred to Committee on Local Government.
- HB 625**, introduced by Cohen. Referred to Committee on Local Government.
- HB 626**, introduced by Nelson, B. Brown, Mercer, Harbin, Blaylock, Compton, Jenkins, Cohen, Thomas, Peck, Peterson, C. Smith, Harp, Darko, Eudaily. Referred to Committee on Education and Cultural Resources.
- HB 627**, introduced by Keenan, Krueger, Waldron, Miles, Harrington, O'Connell, Addy, Bergene, Schye, Pavlovich. Referred to Committee on Judiciary.
- HB 628**, introduced by Koehnke, Pavlovich, D. Brown, Quilici, Keenan, Lybeck, Haffey, Lane, Menahan, Harrington, Lynch, Galt, Wallin. Referred to Committee on State Administration.
- HB 629**, introduced by Pavlovich, Driscoll, D. Brown. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Hannah in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 200 - Representative Waldron moved that HB 200, second reading copy, be amended as follows:

1. Title, line 6.

Strike: "COMPLETION"

Insert: "OCCUPATION"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative D. Brown moved that HB 200, second reading copy, be further amended as follows:

1. Title, line 7.

Following: "ADDITION"

Strike: "OR" through "EARLIER," on line 8

2. Title, line 8.

Following: "PROVISIONS"

Strike: "OF SECTION 46-23-201, MCA,"

Insert: "USED"

3. Title, line 9.

Following: "OVERCROWDING;"

Insert: "CHANGING, AS OF 30 DAYS AFTER COMPLETION OF THE MONTANA STATE PRISON ADDITION, THE POPULATION FIGURES THAT WILL BE APPLIED IN THE EARLY PAROLE PROVISIONS; AMENDING SECTION 46-23-201, MCA; REPEALING, AS OF 30 DAYS AFTER COMPLETION OF THE MONTANA STATE PRISON ADDITION, SECTION 2, CHAPTER 235, LAWS OF 1983;"

4. Title, line 10.

Strike: "AN"

5. Title, line 10.

Strike: "DATE"

Insert: "DATES"

6. Page 1, lines 18 through 21.

Following: "OCCUPIED" on line 18

Strike: ", BUT" through "1985" on line 21

7. Page 1.

Following: line 21

Insert: "Section 2. Section 46-23-201, MCA, is amended to read:

"46-23-201. Prisoners eligible for parole. (1) Subject to the following restrictions, the board shall release on parole by appropriate order any person confined in the Montana state prison or the women's correction center, except persons under sentence of death and persons serving sentences imposed under 46-18-202(2), when in its opinion there is reasonable probability that the prisoner can be released without detriment to the prisoner or to the community:

- (a) No convict serving a time sentence may be paroled until he has served at least one-half of his full term, less the good time allowance provided for in 53-30-105; except that a convict designated as a nondangerous offender under 46-18-404 may be paroled after he has served one-quarter of his full term, less the good time allowance provided for in 53-30-105. Any offender serving a time sentence may be paroled after he has served, upon his term of sentence, 17 ½ years.
- (b) No convict serving a life sentence may be paroled until he has served 30 years, less the good time allowance provided for in 53-30-105.
- (2) A parole shall be ordered only for the best interests of society and not as an award of clemency or a reduction of sentence or pardon. A prisoner shall be placed on parole only when the board believes that he is able and willing to fulfill the obligations of a law-abiding citizen.
- (3) If the department of institutions certifies to the board that the population at the Montana state prison exceeds its design capacity of ~~545~~ 744 by ~~215~~ 96 inmates or that the population at the women's correction center exceeds its design capacity of 35 inmates and that the prison or the center has exceeded its capacity for a period of more than 30 days, the board shall consider convicts in the institution in which the design capacity has been exceeded eligible for parole 120 days prior to the eligibility date provided for in subsection (1).
- (4) Regardless of length of sentence, if the conditions of parole eligibility are met within the initial 12 months of incarceration at Montana state prison, the provisions of subsection (3) do not apply. (Subsections (3) and (4) terminate July 1, 1985—sec. 2, Ch. 235, L. 1983.)"

NEW SECTION. Section 3. Repealer. Section 2, Chapter 235, Laws of 1983, is repealed.

NEW SECTION. Section 4. Effective dates. (1) Section 1 is effective on passage and approval.

- (2) Sections 2 and 3 are effective 30 days after the governor declares by executive order that the prison housing units funded in HB 833 of the 48th legislature are occupied."

Amendment passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hansen, Hanson, Harbin, Harp,

Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: Cobb, Eudaily, Hand, Keyser, Lory, Miles, J.K. Moore, Ramirez.

Total 8

Excused: None.

Total 0

Absent or not voting: Asay, J. Brown, Poff.

Total 3

That HB 200, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ernst, Eudaily, Garcia, Gilbert, Gould, Grady, Hammond, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Kadas, Keenan, Keller, Kennerly, Kitselman, Krueger, Lory, McCormick, Manuel, Menahan, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Hara, Pavlovich, Poff, Quilici, Rapp-Svrcek, Ream, Sales, Schye, Simon, Smith, Spaeth, Switzer, Thoft, Waldron, Williams, Winslow, Mr. Speaker.

Total 65

Noes: Asay, Brandewie, Cobb, Cody, Connelly, Ellerd, Ellison, Glaser, Hand, Hannah, Hanson, Jenkins, Jones, Keyser, Koehnke, Marks, Mercer, Miles, Nathe, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Ramirez, Raney, Rehberg, Sands, Schultz, Swift, Thomas, Wallin, Zabrocki.

Total 34

Excused: None.

Total 0

Absent or not voting: Fritz.

Total 1

HB 438 - That HB 438 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Fritz, Thomas.

Total 2

Representative Waldron excused at this time.

HB 454 - Representative Thomas moved that HB 454, second reading copy, be amended as follows:

1. Title, line 5.

Following: "OF"

Strike: "A"

Insert: "AN ELECTED"

2. Page 2, line 6.

Following: "(a)"

Strike: "The"

Insert: "An elected"

3. Page 2, line 8.

Following: "that"

Strike: "a"

Insert: "an elected"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Glaser, Hammond.

Total 2

Excused: Waldron.

Total 1

Absent or not voting: Pavlovich.

Total 1

That HB 454, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Darko, Devlin, Driscoll, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harper, Harrington, Hart, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Peck, Phillips, Pistoria, Quilici, Ream, Rehberg, Sands, Schye, Swift, Switzer, Thomas, Wallin, Williams.

Total 62

Noes: Abrams, Addy, Asay, Bardanouve, Cobb, Connelly, Donaldson, Ellerd, Ellison, Ernst, Hansen, Harbin, Harp, Hayne, Howe, Jones, Kadas, Keyser, Marks, J.K. Moore, Nathe, Patterson, Pavlovich, Peterson, Poff, Ramirez, Raney, Rapp-Svrcek, Sales, Schultz, Simon, Smith, Spaeth, Thoft, Winslow, Zabrocki, Mr. Speaker.

Total 37

Excused: Waldron.

Total 1

Absent or not voting: None.

Total 0

HJR 10 - That HJR 10 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Waldron.

Total 1

Absent or not voting: Kadas.

Total 1

HB 26 - Representative Harper moved that HB 26, second reading copy, be amended as follows:

1. Page 1, line 16.

Following: "structures"

Insert: " , which increases their taxable value by at least 2 ½% as determined by the department of revenue or its agents,"

2. Page 1, line 17.

Following: "period"

Strike: "AS DEFINED IN 15-24-1304"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg,

Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 96

Noes: Sales.
Total 1

Excused: Waldron.
Total 1

Absent or not voting: Kadas, Nathe.
Total 2

That HB 26, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 91

Noes: Cohen, Connelly, Harbin, Keenan, Peck, Raney.
Total 6

Excused: Waldron.
Total 1

Absent or not voting: Nathe, O'Connell.
Total 2

HB 57 - That HB 57 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Waldron.
Total 1

Absent or not voting: Nathe, O'Connell.
Total 2

HB 89 - That HB 89 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Waldron.

Total 1

Absent or not voting: Fritz, Sands.

Total 2

HB 166 - That HB 166 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Lory, McCormick, Manuel, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Bradley, Ellerd, Ellison, Harper, Howe, Koehnke, Krueger, Menahan, Miles, Nathe, Patterson, Peterson, Thoft, Zabrocki.

Total 14

Excused: Waldron.

Total 1

Absent or not voting: Bardanouve, D. Brown, Hammond, Marks.

Total 4

HB 241 - That HB 241 do pass. Motion failed. (46-53)

That HB 241 do not pass. Motion carried as follows:

Ayes: Abrams, Asay, Brandewie, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Poff, Ramirez, Rehberg, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow.

Total 53

Noes: Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hannah, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas,

Keenan, Kennerly, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, Pavlovich, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Sands, Spaeth, Zabrocki, Mr. Speaker.
Total 46

Excused: Waldron.
Total 1

Absent or not voting: None.
Total 0

HB 249 - Representative Driscoll moved that HB 249, second reading copy, be amended. Amendment failed. (37-62)

That HB 249 do pass. Motion failed as follows:

Ayes: Abrams, Bardanouve, Bergene, Bradley, Brandewie, Compton, Devlin, Donaldson, Ernst, Eudaily, Fritz, Glaser, Gould, Grady, Hand, Hannah, Hanson, Hayne, Holliday, Iverson, Jenkins, Keller, Lory, Marks, J.K. Moore, Nathe, O'Hara, Peck, Sales, Sands, Schultz, Simon, Swift, Switzer, Thomas, Winslow.
Total 36

Noes: Addy, Asay, Bachini, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Connelly, Darko, Driscoll, Ellerd, Ellison, Garcia, Gilbert, Hammond, Hansen, Harbin, Harp, Harper, Harrington, Hart, Howe, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schye, Smith, Spaeth, Thoft, Wallin, Williams, Zabrocki, Mr. Speaker.
Total 62

Excused: Waldron.
Total 1

Absent or not voting: J. Moore.
Total 1

That HB 249 do not pass. Motion carried as follows:

Ayes: Addy, Bachini, J. Brown, Campbell, Cobb, Cody, Cohen, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Garcia, Gilbert, Hammond, Hansen, Harbin, Harp, Harper, Harrington, Hart, Howe, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Schye, Simon, Smith, Thoft, Wallin, Williams, Zabrocki, Mr. Speaker.
Total 64

Noes: Abrams, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, Compton, Donaldson, Ernst, Eudaily, Fritz, Glaser, Gould, Grady, Hand, Hannah, Hanson, Hayne, Holliday, Iverson, Jenkins, Keller, Lory, J.K. Moore, Nathe, O'Hara, Peck, Sales, Sands, Spaeth, Swift, Switzer, Thomas, Winslow.
Total 34

Excused: Waldron.
Total 1

Absent or not voting: Asay.
Total 1

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Hannah moved the adoption of the committee report. Report adopted. (96-3)

SPECIAL ORDERS OF THE DAY

Speaker Vincent introduced the Honorable Jim Horsman from the Province of Alberta, Minister of Federal and Intergovernmental Affairs and Deputy Government Leader of the Alberta Legislature. Mr. Horsman represents the constituency of Medicine Hat, which neighbors the legislative districts of Representatives Iverson, Jenkins, Bachini, Peck, and Bardanouve.

Mr. Horsman was escorted to the podium by Representatives Iverson, Jenkins, Bachini, and Peck where he addressed the House. He presented the members with friendship pins from the Province of Alberta and informed House members that he was looking forward to attending Governor Schwinden's Inaugural Ball as the official representative of the Alberta government.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 209 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connolly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 99

Noes: None.

Total 0

Excused: Waldron.

Total 1

Absent or not voting: None.

Total 0

HB 251 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connolly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream,

Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 98

Noes: Bardanouve.
Total 1

Excused: Waldron.
Total 1

Absent or not voting: None.
Total 0

HB 272 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Waldron.
Total 1

Absent or not voting: None.
Total 0

HB 317 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 95

Noes: Hannah, Jenkins, Jones, Keyser.
Total 4

Excused: Waldron.
Total 1

Absent or not voting: None.
Total 0

HB 349 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 99

Noes: None.

Total 0

Excused: Waldron.

Total 1

Absent or not voting: None.

Total 0

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Sales, Chairman):

2/1/85

HB 283, do pass. Report adopted.

HB 291, do pass. Report adopted.

HB 292, introduced bill, be amended as follows:

1. Page 1, line 21.

Following: "older,"

Insert: "except as provided in subsection (3),"

2. Page 2.

Following: line 7

Insert: "(3) A retired patrolman otherwise qualified under subsection (1)(a) who is employed in a position covered by a retirement system under Title 19, chapters 3 through 13, is ineligible to receive the minimum monthly benefit allowance provided for in this section until his employment in the covered position is terminated."

3. Page 2, line 11.

Strike: "7%"

Insert: "7½%"

4. Page 2.

Following: line 21

Insert: "NEW SECTION. Section 5. Coordination section. If both this act and House Bill No. 291 are passed and approved, the percentage amount contained in 19-6-402 must reflect the sum of the increases in the member's contribution provided in House Bill No. 291 and this act, and the percentage amount contained in 19-6-404 must reflect the sum of the increases in the state's contribution provided in House Bill No. 291 and this act."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 298, do pass. Report adopted.

HB 389, do pass. Report adopted.

Adverse Committee Reports

HB 204, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: Devlin, Ernst, Keyser, Menahan, J.K. Moore, Nathe, Pistoria, Thomas.

Total 8

Excused: Waldron.

Total 1

Absent or not voting: Bardanoue, Jones.

Total 2

HB 281, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Keenan, Williams.

Total 2

Excused: Waldron.

Total 1

Absent or not voting: Bardanoue, Glaser, Jones.

Total 3

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Legislators are invited to attend the dedication reception and first public viewing of works by Montana artists to be permanently installed in the Justice Building and Montana State Library tonight from 5:00 to 7:00 p.m.

The Northern Plains Resource Council invited legislators to a cocktail party at the home of Hal and Jean Stearns tonight from 7:00 to 9:00 p.m.

Representative Harper moved that the House adjourn until 8:00 a.m., February 2, 1985.

Motion carried.

House adjourned at 3:10 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

TWENTY-FOURTH LEGISLATIVE DAY

Helena, Montana
February 2, 1985

House Chambers
State Capitol

House convened at 8:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Campbell, Menahan, Miller, J. Moore, O'Hara, Quilici, Waldron, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twenty-third legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/1/85

Correctly printed: HB 2, HB 159, HB 185, HB 248, HB 282, HB 283, HB 291, HB 298, HB 370, HB 389, HB 476.

Considered correctly engrossed: HB 57, HB 89, HB 166, HB 438, HJR 10.

Correctly enrolled: HB 5, HB 60, HB 61, HB 110, HB 113.

2/2/85

Correctly printed: HB 292.

Correctly engrossed: HB 26, HB 200, HB 454.

Signed by the Speaker at 10:00 a.m., 2/2/85: HB 5, HB 60, HB 61, HB 76, HB 110, HB 113, HB 123, HJR 6.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Schultz, Chairman): 2/1/85

HJR 15, do pass. Report adopted.

HJR 17, do pass. Report adopted.

BUSINESS AND LABOR (Pavlovich, Chairman): 2/1/85

HB 321, introduced bill, be amended as follows:

1. Title, line 8.

Strike: "SECTION"

Insert: "SECTIONS 32-1-109 AND"

2. Page 1, line 15.

Following: "30"

Strike: "14"

Insert: "7"

3. Page 1, line 16.

Following: "30"

Strike: "14"

Insert: "7"

4. Page 1, line 18.

Following: "30"

Strike: "14"

Insert: "7"

5. Page 1.

Following: line 18

Insert: "Section 2. Section 32-1-109, MCA, is amended to read:

“32-1-109. Definitions. Unless the context requires otherwise the following definitions apply:

- (1) “Board” means the state banking board provided for in 2-15-1803.
- (2) “Capital”, “capital stock”, and “paid-in capital” mean that fund for which certificates of stock are issued to stockholders.
- (3) “Consolidate” and “merge” mean the same thing and may be used interchangeably in this chapter.
- (4) “Demand deposits” means all deposits, the payment of which can legally be required when demanded.
- (5) “Department” means the department of commerce provided for in Title 2, chapter 15, part 18.
- (6) “Net earnings” means the excess of the gross earnings of a bank over expenses and losses chargeable against those earnings during any one year.
- (7) “Profit and loss account” or “profit and loss” means that account carried on the books of the bank into which all earnings accounts and recoveries are closed, thus exhibiting “gross earnings”, and against which all loss and other disbursement items are charged, revealing “net earnings”, which are then properly closed to “undivided profits accounts” or “undivided profits”, out of which dividends are paid and reserves set aside.
- (8) “Surplus” means a fund paid in or created under this chapter by a bank from its net earnings or undivided profits which, when set apart and designated as such, is not available for the payment of dividends and cannot be used for the payment of expenses or losses so long as such bank has undivided profits.
- (9) “Time deposits” means all deposits, the payment of which cannot legally be required within ~~14~~ 7 days.
- (10) “Undivided profits” means the credit balance of the profit and loss account of a bank.”

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 334, introduced bill, be amended as follows:

1. Title, line 5.

Following: “WHOLESALE TO”

Strike: “RENT”

Insert: “FURNISH”

2. Page 2, line 18.

Following: “may”

Strike: “rent”

Insert: “furnish”

3. Page 2, line 21.

Following: “premises”

Strike: remainder of line 21 through “rule” on line 23

And, as amended, do pass. Report adopted.

HB 367, do pass. Report adopted.

HB 466, do pass. Report adopted.

HB 492, introduced bill, be amended as follows:

1. Page 2, line 10.

Following: "title"

Insert: "with a notice of security interest, if any,"

2. Page 2, line 11.

Following: "recipient;"

Insert: "and"

3. Page 2, lines 12 and 13.

Strike: subsection (iii) in its entirety

Renumber: subsequent subsection

4. Page 2, line 15.

Following: "61-3-502(7)(b)"

Strike: remainder of line 15 through "any" on line 17

5. Page 2, line 21.

Following: "of"

Strike: remainder of line 21 through "other" on line 22

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Keenan, Chairman):

2/1/85

HB 259, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 259

A statement is required for this bill because section 1 grants rulemaking authority to the department of social and rehabilitation services.

It is intended that the department establish rules which will enable the department to take action against providers of health-related services to counties that have opted to have the state assume their welfare program. The rules will relate to those providers that engage in fraudulent, abusive, or improper activities. The rules should address the same subjects as the sanctions involved in the medicaid program, such as grounds for sanctions, types of sanctions and penalties, scope of sanctions, and related administrative processes.

HJR 11, do pass. Report adopted.

SB 71, be concurred in. Report adopted.

1/25/85

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Menahan, Chairman):

1/28/85

Recommend that the following employee be hired by the 49th Legislature as of 1/26/85:

Angie PetroskyPage to the Republican Leader

Recommend that the following employees be terminated by the 49th Legislature as of 1/25/85 and 1/26/85 respectively:

Joe RobinsonSecretary to the Assistant Chief Clerk

Bitsy KroppPage to the Republican Leader

MOTIONS

Representative O'Connell moved that consideration of HB 283 be passed for the day. Motion carried.

Representative O'Connell moved that consideration of HB 291 be passed for the day. Motion carried.

Representative Pavlovich moved that HB 616 be taken from the Committee on Business and Labor and rereferred to the Committee on Local Government. Motion carried.

Representative Gilbert moved that consideration of HB 346 be passed for the day. Motion carried.

Representative Pistoria moved that consideration of HB 370 be passed for the day. Motion carried.

Representative Eudaily moved that HB 298 be placed below HB 389, second reading today. Motion carried.

Representative Pavlovich moved that HB 646 be taken from the Committee on Business and Labor and rereferred to the Committee on Human Services and Aging. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 630, introduced by Pistoria. Referred to Committee on Education and Cultural Resources.

HB 631, introduced by Keyser, Thomas, Kolstad, Jenkins. Referred to Committee on State Administration.

HB 632, introduced by Eudaily, Lory, Menahan, Darko, Nisbet, Nelson, Swift, Harbin. Referred to Committee on State Administration.

HB 633, introduced by Lory, Harper, Cohen, Miles, Fritz, Eck, Ream, Kadas, Hansen, Christiaens, Iverson, Montayne, Connelly, Eudaily, Mohar. Referred to Committee on Natural Resources.

HB 634, introduced by Lory, Connelly, Quilici, Keating, (By Request of the Securities Division of the State Auditor's Office). Referred to Committee on State Administration.

HB 635, introduced by Darko, H. Hammond, Harbin. Referred to Committee on Education and Cultural Resources.

HB 636, introduced by Abrams, Devlin, Hart, Asay, Keating, Zabrocki, E. Smith, Shaw, Tveit, Gage, Stephens, Nathe, Hanson, D. Brown. Referred to Committee on Taxation.

HB 637, introduced by Iverson, (By Request of the Department of State Lands). Referred to Committee on Natural Resources.

HB 638, introduced by Iverson, D. Brown, (By Request of the Department of State Lands). Referred to Committee on Natural Resources.

HB 639, introduced by Nathe, (By Request of the Department of Commerce). Referred to Committee on Business and Labor.

HB 640, introduced by Wallin, Ramirez, Keyser, J.K. Moore, Marks, Rehberg, Sales, O'Hara, Simon, Hanson, Phillips, Mercer, Ernst, Schultz, Ellison, Ellerd, Thoft, Brandewie, Cobb, Keller, Hannah, Winslow, Thomas, Iverson, Devlin, Miller, Sands, Nelson, Kitselman, Gould, Gilbert, Peterson, Switzer, Swift, Koehnke. Referred to Committee on Business and Labor.

HB 641, introduced by Fritz, Ream, Mercer, Donaldson, Aklestad, Zabrocki, Campbell, Tveit. Referred to Committee on State Administration.

HB 642, introduced by Hansen, Fritz, Harper, Lory. Referred to Committee on Local Government.

HB 643, introduced by Thoft, Iverson, Ellison, McCormick, Zabrocki, J.K. Moore, Thomas, Rehberg, Harp, Pistoria, O'Connell, Nathe, Swift, Schultz, Grady, Tveit, Brandewie, Devlin, Switzer, Compton, Gilbert, Kitselman, Hanson, Mercer, Driscoll, Wallin, Ellerd, Campbell, Harbin, Menahan, Gould, Severson, Harding, J. Moore. Referred to Committee on Judiciary.

HB 644, introduced by Nathe. Referred to Committee on Judiciary.

HB 646, introduced by Rapp-Svrcek, Jacobson, Hager, Bergene, Nathe, Ernst, B. Brown, Conover, Crippen, Mercer. Referred to Committee on Business and Labor.

HB 647, introduced by Fritz, Addy, Garcia, Hansen. Referred to Committee on Local Government.

HB 648, introduced by Kadas, Regan, Miles, Eck, Towe. Referred to Committee on Business and Labor.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Ream in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 268 - That HB 268 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Campbell, Menahan, Miller, J. Moore, O'Hara, Quilici, Waldron.

Total 7

Absent or not voting: None.

Total 0

HB 270 - That HB 270 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Simon,

Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 85

Noes: Bardanouve, Cohen, Ellerd, Hannah, Ramirez, Sands, Schye, Thomas.

Total 8

Excused: Campbell, Menahan, Miller, J. Moore, O'Hara, Quilici, Waldron.

Total 7

Absent or not voting: None.

Total 0

HB 315 - That HB 315 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: Connelly, Hannah, J.K. Moore, Peck.

Total 4

Excused: Campbell, Menahan, Miller, J. Moore, O'Hara, Quilici, Waldron.

Total 7

Absent or not voting: Ellison, Hand.

Total 2

HB 439 - That HB 439 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: Peterson.

Total 1

Excused: Campbell, Menahan, Miller, J. Moore, O'Hara, Quilici, Waldron.

Total 7

Absent or not voting: Fritz.

Total 1

HB 441 - Representative J. Brown moved that HB 441 do pass. Representative J. Brown made a substitute motion that HB 441 be placed below HB 266. Motion carried.

HB 214 - Representative Hand moved that HB 214 be amended. Representative Keyser made a substitute motion that consideration of HB 214 be passed for the day. Motion carried.

HB 215 - That HB 215 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: Bardanouve, Ellison, Keyser, Koehnke, Peck, Ramirez.

Total 6

Excused: Campbell, Menahan, Miller, J. Moore, O'Hara, Quilici, Waldron.

Total 7

Absent or not voting: None.

Total 0

HB 221 - That HB 221 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, Cobb, Cody, Cohen, Connelly, Darko, Driscoll, Ernst, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, Nathe, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Raney, Rapp-Svrcek, Ream, Sales, Sands, Schultz, Schye, Simon, Spaeth, Thomas, Williams, Winslow, Mr. Speaker.

Total 69

Noes: J. Brown, Compton, Devlin, Donaldson, Ellerd, Ellison, Eudaily, Fritz, Gilbert, Hannah, Hayne, Jones, Keyser, J.K. Moore, Nelson, Pavlovich, Ramirez, Rehberg, Smith, Swift, Switzer, Thoft, Wallin, Zabrocki.

Total 24

Excused: Campbell, Menahan, Miller, J. Moore, O'Hara, Quilici, Waldron.

Total 7

Absent or not voting: None.

Total 0

HB 228 - Representative Winslow moved that HB 228 be placed below HB 302. Motion carried.

HB 266 - That HB 266 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas,

Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Mercer, Miles, Montayne, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 79

Noes: Abrams, Ellerd, Grady, Jones, Keyser, Marks, J.K. Moore, Nathe, Ramirez, Thoft, Thomas.

Total 11

Excused: Campbell, Menahan, Miller, J. Moore, O'Hara, Quilici, Waldron.

Total 7

Absent or not voting: Hansen, Pavlovich, Poff.

Total 3

HB 441 - Representative J. Brown moved that HB 441, second reading copy, be amended as follows:

1. Page 2, line 23.

Following: "part."

Strike: "Notwithstanding" through "board." on page 3, line 1

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Campbell, Menahan, Miller, J. Moore, O'Hara, Quilici, Waldron.

Total 7

Absent or not voting: D. Brown, Kadas, Marks.

Total 3

That HB 441, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Campbell, Menahan, Miller, J. Moore, O'Hara, Quilici, Waldron.

Total 7

Absent or not voting: Kadas.

Total 1

Representative O'Hara present at this time.

HB 297 - That HB 297 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: Bachini, Connelly, Keyser, Koehnke, Thomas.

Total 5

Excused: Campbell, Menahan, Miller, J. Moore, Quilici, Waldron.

Total 6

Absent or not voting: None.

Total 0

HB 348 - That HB 348 do pass. Motion failed as follows:

Ayes: Abrams, Bachini, Bardanouve, D. Brown, J. Brown, Connelly, Darko, Ernst, Garcia, Hanson, Harbin, Harrington, Holliday, Jenkins, Kadas, Kennerly, McCormick, Manuel, O'Connell, O'Hara, Peck, Pistoria, Poff, Raney, Schye, Wallin, Mr. Speaker.

Total 27

Noes: Addy, Asay, Bergene, Bradley, Brandewie, Cobb, Cody, Cohen, Compton, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harp, Harper, Hart, Hayne, Howe, Iverson, Jones, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Williams, Winslow, Zabrocki.

Total 67

Excused: Campbell, Menahan, Miller, J. Moore, Quilici, Waldron.

Total 6

Absent or not voting: None.

Total 0

That HB 348 do not pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Bergene, Bradley, Brandewie, Cobb, Cody, Cohen, Compton, Devlin, Donaldson, Driscoll, Ellerd, Ellison,

Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jones, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Williams, Winslow, Zabrocki.

Total 71

Noes: Bachini, D. Brown, J. Brown, Connelly, Darko, Garcia, Hanson, Harbin, Harrington, Jenkins, Kadas, Kennerly, McCormick, Manuel, O'Connell, O'Hara, Peck, Pistoria, Poff, Raney, Schye, Wallin, Mr. Speaker.

Total 23

Excused: Campbell, Menahan, Miller, J. Moore, Quilici, Waldron.

Total 6

Absent or not voting: None.

Total 0

HB 445 - That HB 445 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 90

Noes: Keyser, Smith, Switzer, Thoft.

Total 4

Excused: Campbell, Menahan, Miller, J. Moore, Quilici, Waldron.

Total 6

Absent or not voting: None.

Total 0

Representative J. Moore present at this time.

HB 2 - Representative Sands moved that HB 2 do pass. Representative Bardanouve made a substitute motion that HB 2 do not pass. Motion failed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, D. Brown, Cohen, Connelly, Darko, Fritz, Garcia, Hansen, Harbin, Harper, Howe, Kadas, Keenan, Krueger, Manuel, Menahan, Miles, Nisbet, Peck, Pistoria, Poff, Quilici, Raney, Schye, Williams, Mr. Speaker.

Total 30

Noes: Asay, Bergene, Brandewie, J. Brown, Cobb, Cody, Compton, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harp, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Marks, Mercer, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands,

Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki.

Total 67

Paired: Menahan, Quilici, Ayes; Marks, J.K. Moore, Noes.

Excused: Campbell, Miller, Waldron.

Total 3

Absent or not voting: None.

Total 0

That HB 2 do pass. Motion carried as follows:

Ayes: Asay, Bergene, Brandewie, J. Brown, Cobb, Cody, Compton, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Marks, Mercer, Montayne, J.K. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki.

Total 67

Noes: Abrams, Addy, Bachini, Bardanouve, Bradley, D. Brown, Cohen, Connelly, Darko, Fritz, Garcia, Hansen, Harper, Howe, Kadas, Keenan, Krueger, Manuel, Menahan, Miles, J. Moore, Nisbet, Peck, Pistoria, Poff, Quilici, Raney, Schye, Mr. Speaker.

Total 29

Paired: Marks, J.K. Moore, Ayes; Menahan, Quilici, Noes.

Excused: Campbell, Miller, Waldron.

Total 3

Absent or not voting: Kennerly.

Total 1

HB 119 - That Senate amendments to HB 119 be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Campbell, Menahan, Miller, Quilici, Waldron.

Total 5

Absent or not voting: None.

Total 0

HB 159 - That HB 159 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Campbell, Menahan, Miller, Quilici, Waldron.

Total 5

Absent or not voting: None.

Total 0

HB 185 - That HB 185 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, Cody, Connelly, Darko, Donaldson, Driscoll, Ernst, Fritz, Gould, Harbin, Harrington, Hart, Hayne, Holliday, Howe, Keenan, Kennerly, Koehnke, Krueger, McCormick, Manuel, Mercer, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Schye, Swift, Thomas, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 48

Noes: Abrams, Asay, Brandewie, J. Brown, Cobb, Cohen, Compton, Devlin, Ellerd, Ellison, Eudaily, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harp, Harper, Iverson, Jenkins, Jones, Kadas, Keller, Keyser, Kitselman, Lory, Marks, Miles, Nelson, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Switzer, Thoft, Winslow.

Total 47

Excused: Campbell, Menahan, Miller, Quilici, Waldron.

Total 5

Absent or not voting: None.

Total 0

HB 248 - That HB 248 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff,

Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Campbell, Menahan, Miller, Quilici, Waldron.

Total 5

Absent or not voting: Hansen, Hart.

Total 2

HB 282 - Representative Rapp-Svrcek moved that consideration of HB 282 be passed for the day. Motion carried.

HB 289 - That HB 289 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Campbell, Menahan, Miller, Quilici, Waldron.

Total 5

Absent or not voting: None.

Total 0

HB 302 - That HB 302 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Campbell, Menahan, Miller, Quilici, Waldron.

Total 5

Absent or not voting: Rehberg.

Total 1

HB 228 - Representative Winslow moved that HB 228, second reading copy, be amended as follows:

1. Page 3, lines 8 and 9.

Strike: "ONLY ONE OF THE TWO WITNESSES MAY BE RELATED TO THE DECLARANT."

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 90

Noes: Connelly, Glaser, Peck, Sands.

Total 4

Excused: Campbell, Menahan, Miller, Quilici, Waldron.

Total 5

Absent or not voting: Pavlovich.

Total 1

That HB 228, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Koehnke, Peck.

Total 2

Excused: Campbell, Menahan, Miller, Quilici, Waldron.

Total 5

Absent or not voting: None.

Total 0

HB 389 - That HB 389 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly,

Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Keenan, Krueger.

Total 2

Excused: Campbell, Menahan, Miller, Quilici, Waldron.

Total 5

Absent or not voting: None.

Total 0

Representative Harrington excused at this time.

HB 298 - That HB 298 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: Connelly, Keenan, Koehnke, Krueger.

Total 4

Excused: Campbell, Harrington, Menahan, Miller, Quilici, Waldron.

Total 6

Absent or not voting: Iverson.

Total 1

Representative Abrams excused at this time.

HB 390 - Representative Cody moved that HB 390, second reading copy, be amended as follows:

1. Page 1, line 17.

Strike: "the" through "power"

Insert: "this term does not include a bicycle as defined in 61-1-123"

Amendment passed as follows:

Ayes: Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Hart, Hayne, Holliday, Howe, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Mercer, Miles,

J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 72

Noes: Addy, Brandewie, Devlin, Gilbert, Glaser, Gould, Grady, Harper, Jenkins, Jones, Keyser, Lory, Montayne, O'Hara, Ramirez, Sales.
Total 16

Excused: Abrams, Campbell, Harrington, Menahan, Miller, Quilici, Waldron.
Total 7

Absent or not voting: Asay, Ellison, Iverson, Kadas, Smith.
Total 5

Representative Simon excused at this time.

That HB 390, as amended, do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Smith, Spaeth, Swift, Switzer, Thomas, Wallin, Williams, Winslow, Mr. Speaker.
Total 80

Noes: Bergene, D. Brown, Ellerd, Ellison, Jones, Kennerly, Nathe, Pavlovich, Pistoria, Sales, Thoft, Zabrocki.
Total 12

Excused: Abrams, Campbell, Harrington, Menahan, Miller, Quilici, Simon, Waldron.
Total 8

Absent or not voting: None.
Total 0

HB 426 - Representative Spaeth moved that consideration of HB 426 be passed for the day. Motion carried.

HB 459 - That HB 459 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 87

Noes: None.

Total 0

Excused: Abrams, Campbell, Harrington, Menahan, Miller, Quilici, Simon, Waldron.

Total 8

Absent or not voting: Connelly, Ellison, Gould, Hansen, Jones.

Total 5

HB 476 - That HB 476 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: D. Brown, Driscoll, Krueger.

Total 3

Excused: Abrams, Campbell, Harrington, Menahan, Miller, Quilici, Simon, Waldron.

Total 8

Absent or not voting: Ellison, Jones.

Total 2

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ream moved the adoption of the committee report. Report adopted. (89-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 57 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Abrams, Campbell, Harrington, Menahan, Miller, Quilici, Simon, Waldron.

Total 8

Absent or not voting: Jones.

Total 1

HB 89 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Abrams, Campbell, Harrington, Menahan, Miller, Quilici, Simon, Waldron.

Total 8

Absent or not voting: Bergene, Jones, Williams.

Total 3

HB 166 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Brandewie, J. Brown, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Lory, McCormick, Manuel, Marks, Mercer, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Smith, Spaeth, Swift, Switzer, Thomas, Wallin, Williams, Mr. Speaker.

Total 78

Noes: Bradley, D. Brown, Connelly, Harper, Koehnke, Krueger, Miles, Nathe, Patterson, Peterson, Thoft, Winslow, Zabrocki.

Total 13

Excused: Abrams, Campbell, Harrington, Menahan, Miller, Quilici, Simon, Waldron.

Total 8

Absent or not voting: Jones.

Total 1

HB 438 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory,

McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Abrams, Campbell, Harrington, Menahan, Miller, Quilici, Simon, Waldron.
Total 8

Absent or not voting: Jones.
Total 1

HJR 10 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Abrams, Campbell, Harrington, Menahan, Miller, Quilici, Simon, Waldron.
Total 8

Absent or not voting: Jones.
Total 1

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

The Speaker introduced this week's pages: Sonya Habel, Rebecca Lutz, Scott Llewellyn, Richard Sorenson, Jennifer Hurst, Tracey Neal, Deanne Rapp, and Cindy Thomas, and thanked them for their services.

Representative Harper moved that the House adjourn until 12:30 p.m., February 4, 1985.

Motion carried.

House adjourned at 11:25 a.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

TWENTY-FIFTH LEGISLATIVE DAY

Helena, Montana
February 4, 1985

House Chambers
State Capitol

House convened at 12:30 p.m., Mr. Speaker in the Chair. Invocation by Father Jim Reeves. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twenty-fourth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/4/85

Correctly printed: HB 259, HB 321, HB 334, HB 367, HB 466, HB 492, HJR 11, HJR 15, HJR 17.

Considered correctly engrossed: HB 2, HB 159, HB 185, HB 215, HB 221, HB 248, HB 266, HB 268, HB 270, HB 289, HB 297, HB 298, HB 302, HB 315, HB 389, HB 439, HB 445, HB 459, HB 476.

Correctly engrossed: HB 228, HB 390, HB 441.

Examined by the sponsor (Miller) and found to be correct: HB 107.

Delivered to the Governor for his approval at 9:55 a.m., 2/4/85: HB 5, HB 60, HB 61, HB 76, HB 110, HB 113, HB 123.

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman):

2/1/85

HB 417, introduced bill, be amended as follows:

1. Page 11.

Following: line 7

Insert: "NEW SECTION. Section 4. Extension of authority. Any existing authority of the superintendent of public instruction to make rules on the subject of the provisions of this act is extended to the provisions of this act."

And, as amended, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Harp, Chairman):

2/4/85

Adverse Committee Reports

HB 35, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Simon, Smith, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 72

Noes: Abrams, Brandewie, D. Brown, Campbell, Cohen, Ellerd, Ernst, Gould, Hannah, Hanson, Jenkins, Keller, Keyser, Manuel, Nathe, Peck,

Phillips, Pistoria, Sales, Schultz, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 26

Excused: None.

Total 0

Absent or not voting: Hansen, Schye.

Total 2

HB 55, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Fritz, Garcia, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Ernst, Gilbert, Gould, Jenkins, Montayne, Pistoria.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HUMAN SERVICES AND AGING (Keenan, Chairman):

2/1/85

HB 165, introduced bill, be amended as follows:

1. Title, lines 4 and 5.

Following: "AN ACT"

Strike: remainder of line 4 through "FACILITIES" on line 5

Insert: "REQUIRING AT LEAST ONE ANNUAL UNANNOUNCED INQUIRY AT EACH LONG-TERM CARE FACILITY"

2. Title, line 6.

Following: "SCIENCES;"

Insert: "PROVIDING AN APPROPRIATION; AND"

3. Page 2, line 11.

Following: "perform"

Strike: "an"

Insert: "at least one"

4. Page 2.

Following: line 19

Insert: "NEW SECTION. Section 2. The department may exercise its authority under 50-1-202(17) to utilize the personnel of local departments of health to conduct unannounced inquiries at health care facilities located in the county.

NEW SECTION. Section 3. Appropriation. There is appropriated from the general fund to the Department of Health and Environmental Sciences the following sum to be used for the purpose of implementing the provisions of this act:

Fiscal Year 1986
\$33,449

Fiscal Year 1987
\$30,959"

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 165

A statement of intent is required for this bill because it directs the department of health and environmental sciences to conduct at least one annual unannounced inquiry at each licensed long-term care facility.

The legislature contemplates that this inquiry and therefore the department's rules governing the inquiry should include but not be limited to the following:

- (1) consideration of general resident care and treatment, including residents' personal hygiene and cleanliness;
- (2) consideration of the living environment, including cleanliness of the premises;
- (3) consideration of the residents' general well-being and morale; and
- (4) consideration of the facility staff's morale.

Further, the process for conducting the inquiry should include, at a minimum, a survey of the residents by written instrument or personal interview, a survey of the facility's staff, a general tour of the facility, and other reasonable activity.

In order to carry out its responsibilities in the most cost-effective manner, the department may exercise existing authority under 50-1-202(17) to use the personnel of the local departments of health to assist in the administration of the provisions of this bill. It is intended that the department reimburse local health departments for any services it receives.

LOCAL GOVERNMENT (Darko, Chairman):

2/2/85

HB 186, introduced bill, be amended as follows:

1. Title, line 6.

Following: "RUBBLE"

Strike: "FROM DEMOLITION OF STRUCTURES"

2. Page 1, lines 11 through 14.

Following: "by"

Strike: remainder of section 1 in its entirety

Insert: "allowing rubble, debris, junk, or refuse to accumulate resulting in conditions that are injurious to health, indecent, offensive to the senses, or obstruct the free use of property so as to interfere with the comfortable enjoyment of life or property."

3. Page 1, line 18.

Strike: "or land"

4. Page 2, line 6.

Following: "(5)"

Strike: remainder of subsection (5) in its entirety

Insert: "For the purposes of enforcing an ordinance adopted under subsection (1), the county governing body may provide that, after giving due notice of violation and upon failure of the property owner to comply with the ordinance, officers and employees of the county

may enter upon the property for the specific purpose of abating the violation of the ordinance and may assess the property owner for the actual costs for the abatement. Nonpayment of such an assessment becomes a lien upon the property and is enforceable in the same manner as nonpayment of property taxes is enforced."

And, as amended, do pass. Report adopted.

HB 436, introduced bill, be amended as follows:

1. Title, line 6.

Following: "STATE;"

Insert: "AND PROVIDING AN EXCEPTION;"

2. Page 2, line 2.

Following: line 1

Strike: "A"

Insert: "(1) Except as provided in subsection (2), a"

Renumber: subsequent subsections

3. Page 2, line 21.

Following: "title"

Insert: "to be appointed by the conservation district governing board"

4. Page 2.

Following: line 25

Insert: "(2) Subsection (i)(e) does not apply if there is no member of the governing board of the conservation district who is able or willing to serve on the city-county planning board. In such case, the city-county planning board shall consist of not less than nine members."

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 135, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Montayne, J. Moore, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: D. Brown, Hansen, Manuel, Miller, J.K. Moore, Nathe, O'Connell.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

TAXATION (Devlin, Chairman):

2/4/85

HB 151, do pass. Report adopted.

HB 478, do pass. Report adopted.

Adverse Committee Reports

HB 229, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 88

Noes: Asay, D. Brown, Cobb, Ellerd, Glaser, Mercer, Nathe, Pistoria, Sales, Swift, Thoft, Thomas.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 368, introduced bill, be amended as follows:

1. Title, line 6.

Following: "LEGISLATURE"

Insert: "FOR A PERIOD OF 10 YEARS"

2. Page 1, line 21.

Following: "1987,"

Insert: "and through June 30, 1997,"

3. Page 1, line 23.

Following: "fund."

Insert: "After June 30, 1997, at least fifty percent (50%) of the severance tax shall be dedicated to the trust fund."

And, as amended, do not pass.

HB 369, introduced bill, be amended as follows:

1. Title, line 6.

Following: "AMENDMENTS"

Insert: "WOULD FOR A PERIOD OF 10 YEARS"

2. Page 1, line 21.

Following: "1987,"

Insert: "and through June 30, 1997,"

3. Page 1, line 22.

Following: "fund."

Insert: "After June 30, 1997, 50% of the coal severance tax collections shall be allocated to this trust fund."

And, as amended, do not pass.

REPORTS OF SELECT COMMITTEES

New Free Conference Committee
on SJR 3
February 4, 1985

Mr. President and Speaker of the House:

We, your new free conference committee on SJR 3, met and considered SJR 3, reference copy, and House Rules Committee amendments of 1/17/85.

We recommend as follows:

That the Senate accede to all House Rules Committee amendments of 1/17/85;

That SJR 3 be further amended as follows:

1. Page 34, line 25.

Strike: "50TH"

Insert: "60TH"

2. Page 35, line 2.

Strike: "50TH"

Insert: "60TH"

And that this conference committee report be adopted.

For the Senate:

Van Valkenburg, Chairman
Christiaens
Stephens

For the House:

Ramirez, Chairman
Marks
Harper

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

February 4, 1985

Dear Mr. Speaker:

Please be informed that I have signed House bills 4, 7, 20, 78, and 87 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

2/1/85

HB 10, introduced by Eudaily

HB 28, introduced by M. Williams

HB 31, introduced by M. Williams

HB 32, introduced by Keenan

HB 42, introduced by Manuel

HB 80, introduced by Waldron, Lory

House bill concurred in and returned to the House: 2/2/85

HB 124, introduced by Addy, Manning

House bill not concurred in and returned to the House: 2/1/85

HB 109, introduced by Schye

MOTIONS

Representative Spaeth moved that consideration of HB 426, second reading today, be passed until the 27th legislative day. Motion carried.

Representative Harrington moved that HB 417 be taken from printing and referred to the Committee on Education and Cultural Resources. Motion carried.

Representative Harper moved that the rules be temporarily suspended to allow the free conference committee report on SJR 3 to be heard on second reading this day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 645, introduced by Kadas. Referred to Committee on State Administration.

HB 649, introduced by J.K. Moore, Nathe, Bengtson, Thayer, (By Request of the Department of Commerce). Referred to Committee on Business and Labor.

HB 650, introduced by Krueger, Harding, Harper, Fuller, Mercer, D. Brown, Manuel, Nathe, Fritz. Referred to Committee on State Administration.

HB 651, introduced by Winslow, Addy, Waldron, Kitselman, Mercer, Schye, Nelson, Connelly, Yellowtail, Keating, Thomas. Referred to Committee on Taxation.

HB 652, introduced by Switzer, Darko. Referred to Committee on Taxation.

HB 653, introduced by J. Hammond, Peck, McCormick. Referred to Committee on Local Government.

HB 654, introduced by Pavlovich. Referred to Committee on Local Government.

HB 655, introduced by Peck, Bardanouve, Donaldson, Winslow, Van Valkenburg, Haffey, Regan, E. Smith, (By Request of the Legislative Finance Committee). Referred to Committee on State Administration.

HB 656, introduced by McCormick, Driscoll, Addy, O'Connell, Montayne, Harrington, Garcia, Bachini, Pavlovich. Referred to Committee on Judiciary.

HB 657, introduced by Kadas, Connelly. Referred to Committee on Business and Labor.

HB 658, introduced by Ramirez, Spaeth. Referred to Committee on Business and Labor.

HB 659, introduced by Harper, Asay, Spaeth, Zabrocki, Marks, Raney, Ellison, Bengtson, Ernst, Grady, J. Hammond, Harbin, Addy, Rapp-Svrcek, Nathe, Darko, Miles, Abrams, Keller, Bardanouve, Keenan, Peck, Mohar, Christiaens, Schye, R. Manning, Cobb, Cody, Driscoll, Nisbet, Lane, B. Williams, Tveit, E. Smith, Yellowtail, (By Request of the Environmental Quality Council). Referred to Committee on Agriculture.

- **HB 660**, introduced by J.K. Moore, Donaldson, Bergene, Tveit, Boylan, O'Hara, Cobb, O'Connell, Christiaens, Goodover, Neuman, Keating, Thayer. Referred to Committee on Education and Cultural Resources.
- HB 661**, introduced by Pistoria, McCormick, O'Connell. Referred to Committee on Highways and Transportation.
- HB 662**, introduced by Keyser, Ramirez, Iverson, (By Request of the Securities Division of the State Auditor's Office). Referred to Committee on Business and Labor.
- HB 663**, introduced by J. Moore, Harbin, Pavlovich, J.K. Moore, Haffey, Addy, Darko, Fritz, Cody, Nisbet, Van Valkenburg, Brandewie, Harper, Spaeth, Bradley, Zabrocki, J. Hammond, Vincent, Miller, Ellison, Pistoria, Lory, Miles, Montayne, Lynch, Daniels, Hansen, Halligan, Nathe, Abrams, Garcia, Compton, Eudaily, Peterson, Campbell. Referred to Committee on Highways and Transportation.
- HB 664**, introduced by Fritz, Hansen, Keenan, Kadas. Referred to Committee on Judiciary.
- HB 665**, introduced by Keenan, Jacobson, Halligan, Mazurek, Ream, Lory, Fritz, Hansen, Kadas, Bradley. Referred to Committee on Judiciary.
- HB 666**, introduced by Kadas. Referred to Committee on Business and Labor.
- HB 667**, introduced by Donaldson, Manuel, Fuller, Mazurek, Crippen, Farrell, Hager, Haffey, Halligan, (By Request of the Board of Crime Control). Referred to Committee on Judiciary.
- HJR 20**, introduced by Schultz, Holliday, Compton, Ellerd, Rapp-Svrcek, Keller, Patterson, Ellison, Devlin, Cody, Poff, Bachini, Switzer, Jenkins, Howe, Fritz, Spaeth, Koehnke, Boylan, Kolstad, Lybeck, B. Williams, Lane, Conover, Galt, Aklestad, Severson, (By Request of the House Agriculture, Livestock, and Irrigation Committee). Referred to Committee on Agriculture.

The following Senate bill was introduced, read first time, and referred to committee:

- SJR 9**, introduced by E. Smith, (By Request of the Governor). Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Rehberg in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

- SJR 3** - That the new free conference committee report on SJR 3 be adopted. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer,

Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: Sales.

Total 1

Excused: None.

Total 0

Absent or not voting: Ellerd.

Total 1

HB 214 - Representative Hand moved that HB 214, second reading copy, be amended as follows:

1. Title, line 10.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 4.

Following: line 13

Insert: "NEW SECTION. Section 7. Effective date. This act is effective July 1, 1985."

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Sales.

Total 1

Excused: None.

Total 0

Absent or not voting: Gould, Harrington.

Total 2

That HB 214, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye,

Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: D. Brown, Cody, Nathe, Nisbet, Sales.

Total 5

Excused: None.

Total 0

Absent or not voting: Hansen, Simon.

Total 2

Representative Fritz excused at this time.

HB 282 - That HB 282 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Devlin, Ellison, Jones, Sales, Thoft.

Total 5

Excused: Fritz.

Total 1

Absent or not voting: Cobb.

Total 1

HB 283 - Representative O'Connell moved that HB 283 be placed below HB 292. Motion carried.

Representative Fritz present at this time.

HB 291 - That HB 291 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: Bardanouve.

Total 1

Excused: None.

Total 0

Absent or not voting: Ellison.

Total 1

HB 292 - That HB 292 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Eller, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Hannah.

Total 1

Excused: None.

Total 0

Absent or not voting: Asay, Bardanoue, Ellison, Marks.

Total 4

HB 283 - That HB 283 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanoue, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Eller, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: Asay.

Total 1

Excused: None.

Total 0

Absent or not voting: Jones.

Total 1

HB 346 - Representative Schye moved that HB 346, second reading copy, be amended as follows:

1. Title, line 8.

Following: "COMMERCE;"

Insert: "AND PROVIDING THAT A PERCENTAGE OF TAXES PAID ON AUTOMATIVE FUEL BEING LEGALLY CONSUMED IN AIRCRAFT BE PLACED IN THE AERONAUTICS REVENUE FUND OF THE DEPARTMENT OF COMMERCE;"

Strike: "SECTION"

Insert: "SECTIONS"

Following: "15-70-221"

Insert: "AND 60-3-201"

2. Page 2.

Following: line 10

Insert: "Section 2. Section 60-3-201, MCA, is amended to read:

"60-3-201. Distribution and use of proceeds of gasoline dealers' license tax. (1) All money received in payment of license taxes under the Distributor's Gasoline License Tax Act, except those amounts paid out of the department of revenue's suspense account for gasoline tax refund, shall be used and expended as provided in this section. So much of that money on hand at any time as may be needed to pay highway bonds and interest thereon when due and to accumulate and maintain a reserve therefor, as provided in laws and in resolutions of the state board of examiners authorizing such bonds, shall be deposited in the highway bond account in the debt service fund established by 17-2-102. Subject to that provision, 9/10 of 1% of all money shall be deposited in the state park account, and 1/2 of 1% of all money shall be deposited in a snowmobile account in the state special revenue fund, and 1/25 of 1% of all money shall be deposited in the aeronautics revenue fund of the department of commerce under the provisions of 67-1-301. The remainder of the money shall be used by the department of highways on the federal-aid highways in this state selected and designated under Title 23, U.S.C., and on highways leading from each county seat in the state to the federal highway system of federal-aid roads where the county seat is not on the system and on the other roads which have been or may be authorized by the laws of Montana and for collection of the license taxes and the enforcement of the Montana highway code under Article VIII, section 6, of the constitution of this state.

(2) The department shall, in expending this money, carry forward construction from year to year, using the money expended through the matching up of federal-aid allotments to Montana upon the federal highway system in the various parts of the state in accordance with 60-3-204 through 60-3-206. Nothing in this title conflicts with Title 23, U.S.C., and the rules by which it is administered.

(3) The department may enter into cooperative agreements with the national park service and the federal highway administration for the purpose of maintaining national park approach roads in Montana.

(4) Money credited to the state park account in the state special revenue fund shall be used only for the creation, improvement, and maintenance of state parks where motorboating is allowed, except for the payment of refunds under 15-70-221 through 15-70-226. The legislature finds that of all the fuel sold in the state for consumption in internal combustion engines, not less than 9/10 of 1% is used for propelling boats on waterways of this state.

(5) Money credited to the snowmobile account may be used only to develop and maintain facilities open to the general public at no

admission cost and to promote snowmobile safety. For the 2 years following July 1, 1977, 15% of the amount deposited in the snowmobile account each year shall be used to promote snowmobile safety. Thereafter, 10% of the amount deposited in the snowmobile account shall be used to promote snowmobile safety. The legislature finds that of all fuels sold in this state for consumption in internal combustion engines, not less than $\frac{1}{2}$ of 1% is used for propelling snowmobiles on public lands of this state.

(6) Money credited to the aeronautics account of the department of commerce shall be used only to develop, improve, and maintain facilities open to the public at no admission cost and to promote aviation safety. The legislature finds that of all the fuel sold in this state for consumption in internal combustion engines, not less than 1/25 of 1% is used for propelling aircraft in this state."

Renumber: subsequent section

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Abrams, Keyser, Nathe, O'Connell.

Total 4

That HB 346, as amended, do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Abrams, Asay, Kadas, Nathe.

Total 4

HB 370 - That HB 370 do pass. Motion failed. (16-83)

That HB 370 do not pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Krueger, Lory, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Bachini, Connelly, Gould, Hand, Kennerly, Koehnke, McCormick, Menahan, J. Moore, O'Connell, O'Hara, Pavlovich, Peck, Pistoria, Poff, Zabrocki.

Total 16

Excused: None.

Total 0

Absent or not voting: D. Brown.

Total 1

HB 259 - Representative Keenan moved that HB 259 do pass. Representative Ramirez made a substitute motion that consideration of HB 259 be passed for the day. Motion carried.

HB 321 - That HB 321 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Devlin, Harrington, Kennerly.

Total 3

HB 334 - That HB 334 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Ellerd, Harrington, Nathe, Ramirez.

Total 4

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Rehberg moved the adoption of the committee report. Report adopted. (97-0)

MOTIONS

Representative Harper moved that the rules be temporarily suspended to allow the free conference committee report on SJR 3 to be heard on third reading this day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 2 passed as follows:

Ayes: Asay, Bardanouve, Bergene, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki.

Total 80

Noes: Abrams, Addy, Bachini, Bradley, D. Brown, Cohen, Connelly, Fritz, Harper, Kadas, Keenan, Krueger, Nisbet, Peck, Poff, Raney, Mr. Speaker.

Total 17

Excused: None.

Total 0

Absent or not voting: Menahan, Nathe, O'Connell.

Total 3

HB 26 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Bardanouve, Cohen, Keenan, Peck, Raney, Ream.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 159 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 185 passed as follows:

Ayes: Abrams, Bachini, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cody, Connelly, Darko, Donaldson, Driscoll, Ernst, Fritz, Garcia, Gilbert, Gould, Hand, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Kennerly, Koehnke, Krueger, McCormick, Manuel, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ream, Schye, Swift, Waldron, Zabrocki, Mr. Speaker.

Total 52

Noes: Addy, Asay, Bardanouve, Brandewie, Cobb, Cohen, Compton, Devlin, Ellerd, Ellison, Eudaily, Glaser, Grady, Hammond, Hannah,

Hansen, Hanson, Harbin, Harp, Harper, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Lory, Marks, Menahan, Miles, Nelson, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Switzer, Thoft, Thomas, Wallin, Williams, Winslow.
Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 200 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Garcia, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Krueger, Lory, Manuel, Menahan, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Hara, Pavlovich, Phillips, Poff, Quilici, Rapp-Svrcek, Ream, Sales, Schye, Simon, Spaeth, Switzer, Thoft, Waldron, Williams, Winslow, Mr. Speaker.
Total 65

Noes: Asay, Brandewie, Cobb, Cody, Connelly, Ellerd, Fritz, Gilbert, Glaser, Hanson, Howe, Jones, Keyser, Koehnke, McCormick, Marks, Mercer, Miles, J.K. Moore, Nathe, O'Connell, Patterson, Peck, Peterson, Pistoria, Ramirez, Raney, Rehberg, Sands, Schultz, Smith, Swift, Thomas, Wallin, Zabrocki.
Total 35

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 215 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 94

Noes: Bardanouve, Devlin, Keyser, Koehnke, Peck, Ramirez.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 221 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Cobb, Cody, Cohen, Connelly, Darko, Driscoll, Ernst, Fritz, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J. Moore, Nathe, Nisbet, O'Connell, Patterson, Peck, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Sands, Schultz, Schye, Simon, Spaeth, Thomas, Waldron, Williams, Winslow, Mr. Speaker.

Total 71

Noes: Bergene, J. Brown, Campbell, Compton, Devlin, Donaldson, Ellerd, Ellison, Eudaily, Gilbert, Hannah, Hayne, Jenkins, Jones, Keyser, Miller, J.K. Moore, Nelson, O'Hara, Pavlovich, Peterson, Ramirez, Rehberg, Smith, Swift, Switzer, Thoft, Wallin, Zabrocki.

Total 29

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 228 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Koehnke, Montayne, Peck.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 248 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift,

Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki,
Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 266 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanoue, Bergene, Bradley, Brandewie,
D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Darko, Devlin,
Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser,
Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp,
Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas,
Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory,
McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J. Moore,
Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson,
Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales,
Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Waldron, Wallin,
Williams, Winslow, Zabrocki, Mr. Speaker.

Total 88

Noes: Campbell, Cobb, Ellerd, Jones, Marks, J.K. Moore, Nathe, Ramirez,
Switzer, Thoft, Thomas.

Total 11

Excused: None.

Total 0

Absent or not voting: Asay.

Total 1

HB 268 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanoue, Bergene, Bradley,
Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton,
Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst,
Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand,
Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne,
Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly,
Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks,
Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe,
Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson,
Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream,
Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift,
Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki,
Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 270 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Schye, Smith, Swift, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 90

Noes: Bardanouve, Cohen, Ellerd, Hannah, Sales, Sands, Spaeth, Thomas.
Total 8

Excused: None.
Total 0

Absent or not voting: Koehnke, Simon.
Total 2

HB 289 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 297 passed as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff,

Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Bachini, Keyser, Koehnke, Thomas.

Total 4

Excused: None.

Total 0

Absent or not voting: Manuel.

Total 1

HB 298 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: D. Brown, Cody, Keenan, Krueger, Schye.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 302 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Kadas.

Total 1

HB 315 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: J.K. Moore, Peck, Phillips.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 389 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: D. Brown, Cody, Keenan, Krueger.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 439 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff,

Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: Peterson.

Total 1

Excused: None.

Total 0

Absent or not voting: O'Connell.

Total 1

HB 441 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Schye.

Total 1

HB 445 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Campbell, Ernst, Thoft.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 454 passed as follows:

Ayes: Addy, Asay, Bachini, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harp, Harper, Harrington, Jenkins, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Miller, Montayne, Nelson, Nisbet, O'Connell, O'Hara, Peck, Pistoria, Quilici, Ream, Rehberg, Sands, Schye, Smith, Swift, Switzer, Waldron, Wallin, Williams.

Total 58

Noes: Abrams, Bardanouve, D. Brown, Connelly, Donaldson, Driscoll, Ellerd, Ernst, Fritz, Garcia, Hansen, Harbin, Hart, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keller, Marks, Mercer, J.K. Moore, J. Moore, Nathe, Patterson, Pavlovich, Peterson, Phillips, Poff, Ramirez, Raney, Rapp-Svrcek, Sales, Schultz, Simon, Spaeth, Thoft, Thomas, Winslow, Zabrocki, Mr. Speaker.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 459 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Ellerd.

Total 1

Representative Ellerd abstained from voting on HB 459 due to a conflict of interest.

HB 476 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson,

Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: D. Brown, Driscoll, Iverson, Krueger, Mercer.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 3, free conference committee report, adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Sales.

Total 1

Excused: None.

Total 0

Absent or not voting: Grady, Schye.

Total 2

REPORTS OF STANDING COMMITTEES

JUDICIARY (Hannah, Chairman):

2/4/85

HB 293, introduced bill, be amended as follows:

1. Title, line 5.

Following: "A"

Insert: "MECHANICS"

And, as amended, do pass. Report adopted.

HB 395, introduced bill, be amended as follows:

1. Title, line 4.

Following: "THAT"

Insert: "CERTAIN"

2. Page 1, line 10.

Strike: "no"

Insert: "limitation of"

3. Page 1, line 11.

Following: "acts."

Strike: "No"

Insert: "(1) Except as provided in subsection (2), no"

4. Page 1.

Following: line 19

Insert: "(2) Subsection (1) does not apply to any person or entity that sells, serves, gives, or delivers alcoholic beverages to a person under the legal drinking age in violation of 16-3-301, 16-6-305, or 45-5-623."

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

2/4/85

HB 336, do pass. Report adopted.

HB 345, introduced bill, be amended as follows:

1. Title, line 8.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 2.

Following: line 13

Insert: "NEW SECTION. Section 2. Effective date. This act is effective on passage and approval."

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 345

A statement of intent is required for this bill because it authorizes the department of commerce to adopt administrative rules necessary to administer the federal community development block grant (CDBG) program.

The purpose of this bill is to formalize within the context of the Montana Administrative Procedure Act the department's promulgation of policies, guidelines, ranking criteria, and requirements governing the CDBG program which the department has administered since it was authorized to do so by the November 1981 special session of the legislature. It is not the intention of this bill, however, to add unnecessarily to the cost or complexity of administering the program.

Currently the department's requirements for the program are contained in the publications described below:

1. The Montana Community Development Block Grant Program Application Guidelines describe the policies governing the program, the threshold requirements for CDBG applicants, and the procedure and criteria for evaluating applications.

2. The Montana Community Development Block Grant Program — Grant Administration Manual describes the administrative procedures for local project start up, environmental review of project activities, procurement of goods and services, financial management, protection of civil rights, assuring fair wages for labor, and acquisition of property and relocation of persons displaced thereby. It also discusses special administrative considerations peculiar to public facilities, housing rehabilitation, and economic development projects.

3. The Montana Community Development Block Grant Program — Requirements Notebook is a compilation of the federal and state statutes,

regulations, and other standards which govern the CDBG program but which have been promulgated by agencies other than the department.

Because the conversion of these three lengthy publications to a rule format and their inclusion in the Montana Administrative Register or the Administrative Rules of Montana would be unduly cumbersome, expensive, and inexpedient, the legislature contemplates that the rules promulgated pursuant to this bill would be adopted by reference to the publications themselves as is authorized by section 2-4-307, MCA.

HB 419, do pass. Report adopted.

Adverse Committee Report

HB 343, do not pass.

MESSAGES FROM THE OTHER HOUSE

Senate bill passed and transmitted to the House for concurrence: 1/29/85

SB 115, introduced by R. Manning

Senate bills passed and transmitted to the House for concurrence: 1/30/85

SB 19, introduced by Lynch

SB 79, introduced by Christiaens

SB 122, introduced by Jacobson, Ream, et al.

SB 124, introduced by Himsl

SB 143, introduced by Mazurek

SB 145, introduced by Mazurek

Senate bills passed and transmitted to the House for concurrence: 1/31/85

SB 11, introduced by Neuman

SB 34, introduced by Norman

SB 35, introduced by Norman

SB 36, introduced by Norman

SB 41, introduced by Towe

SB 66, introduced by Halligan

SB 99, introduced by Lynch

SB 105, introduced by Regan

SB 123, introduced by Eck

SB 155, introduced by Smith

SB 158, introduced by Jacobson

SB 165, introduced by Goodover

SB 10, introduced by Neuman, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, failed to pass the Senate and is transmitted to the House with the following vote: 1/31/85

YEAS - 24

NAYS - 25

Senate bills passed and transmitted to the House for concurrence: 2/1/85

SB 53, introduced by Crippen

SB 119, introduced by Eck

SB 132, introduced by Halligan

SB 144, introduced by Mazurek

SJR 9, introduced by Smith

Senate bills passed and transmitted to the House for concurrence: 2/2/85

SB 89, introduced by Mazurek

SB 106, introduced by Shaw

SB 120, introduced by Boylan, et al.

SB 131, introduced by Haffey, Quilici

SB 139, introduced by Thayer, Christiaens

SB 141, introduced by Keating

SB 167, introduced by Regan, et al.

SB 191, introduced by Williams, et al.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 12:30 p.m., February 5, 1985.

Motion carried.

House adjourned at 3:10 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

TWENTY-SIXTH LEGISLATIVE DAY

Helena, Montana
February 5, 1985

House Chambers
State Capitol

House convened at 12:30 p.m., Mr. Speaker in the Chair. Invocation by Father Ed Hislop. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twenty-fifth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/4/85

Correctly printed: HB 151, HB 165, HB 186, HB 293, HB 336, HB 395, HB 419, HB 436, HB 478.

Considered correctly engrossed: HB 282, HB 283, HB 291, HB 292, HB 321, HB 334.

2/5/85

Correctly printed: HB 345, HB 429.

Correctly engrossed: HB 214, HB 346.

Correctly enrolled: HB 107.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Schultz, Chairman):

2/5/85

HB 486, introduced bill, be amended as follows:

1. Title, line 7.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 2.

Following: line 9

Insert: "NEW SECTION. Section 2. Effective date. This act is effective on passage and approval."

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Pavlovich, Chairman):

2/4/85

HB 306, do pass. Report adopted.

HB 371, do pass. Report adopted.

HB 429, introduced bill, be amended as follows:

1. Title, line 5.

Following: "THE STATE"

Insert: "INSTITUTIONAL INDUSTRIES"

2. Title, line 6.

Following: "PERSONS"

Strike: remainder of line 6 through "BIDDING" on line 7

3. Page 2, line 4.

Following: "state"

Insert: "institutional industries defined in 53-1-301"

4. Page 2, line 5.

Following: "agency"

Strike: remainder of line 5 through "entity" on line 8

5. Page 2, line 9.

Strike: section 2 in its entirety

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Keenan, Chairman): 2/4/85

HJR 19, do pass. Report adopted.

NATURAL RESOURCES (Iverson, Chairman): 2/4/85

HB 543, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman): 2/4/85

Adverse Committee Report

HB 343, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 98

Noes: Nathe.

Total 1

Excused: None.

Total 0

Absent or not voting: Cody.

Total 1

TAXATION (Devlin, Chairman): 2/5/85

Adverse Committee Reports

HB 368 - Representatives Ellison, Gilbert, Hanson, Harp, Devlin, Patterson, Switzer, Pistoria, O'Connell, Kennerly, Holliday, Donaldson, Ellerd, O'Hara, Ernst, Compton, Sands, Pavlovich, Montayne, and Rehberg objected to the adverse committee report on HB 368, and requested that the bill be printed and placed on second reading. 2/1/85

HB 369, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Hara,

Patterson, Peck, Peterson, Phillips, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: D. Brown, Ellison, Gould, Keyser, Nathe, O'Connell, Pavlovich, Pistoria, Ramirez.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MESSAGES FROM THE OTHER HOUSE

Senate bills passed and transmitted to the House for concurrence: 2/4/85

SB 54, introduced by Towe

SB 81, introduced by Aklestad

SB 93, introduced by Christiaens

SB 104, introduced by Halligan

SB 126, introduced by McCallum

SB 135, introduced by Mohar

SB 136, introduced by Mohar

SB 137, introduced by Mohar

MOTIONS

Representative Keyser moved that HB 151 be taken from second reading and referred to the Committee on Taxation for an amendment. Motion carried.

Representative Kadas moved that Spaeth be added as a sponsor to HB 358. Motion carried.

Representative Waldron moved that Spaeth, Harper, Bergene, Winslow, Hannah, Fuller, E. Smith, Stephens, Marks, and Van Valkenburg be added as sponsors to HJR 19.

Representative Thomas moved that Hand and Boylan be added as sponsors to HB 449. Motion carried.

Representative Thomas moved that Hand be added as a sponsor to HJR 12. Motion carried.

Representative Pavlovich moved that HB 354 be taken from the Committee on State Administration and rereferred to the Committee on Business and Labor to be heard with a similar licensing bill. Motion carried.

Representative D. Brown moved that consideration of HB 101, second reading today, be passed until the 30th legislative day. Motion carried.

Representative Koehnke moved that Galt and Peck be added as sponsors to HB 497. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

- HB 668**, introduced by Spaeth, Van Valkenburg, McCallum, Winslow. Referred to Committee on Business and Labor.
- HB 669**, introduced by Bradley, Blaylock, B. Brown, Peck, (By Request of the Governor). Referred to Committee on Appropriations.
- HB 670**, introduced by Iverson, (By Request of the Department of State Lands). Referred to Committee on Natural Resources.
- HB 671**, introduced by Schye, Neuman, Holliday, Nathe, Schultz, Vincent. Referred to Committee on Appropriations.
- HB 672**, introduced by Harp, Brandewie, Menahan, (By Request of the Public Service Commission). Referred to Committee on Appropriations.
- HB 673**, introduced by Kadas. Referred to Committee on Local Government.
- HB 674**, introduced by Nathe, Thomas, Swift, Mercer, Pistoria, J. Moore, Spaeth, Driscoll, Ream, Patterson, Phillips, Raney, Darko, Krueger, D. Brown, Manuel, Cohen, Iverson, Menahan, Vincent, Donaldson, Holliday, Thoft, Campbell, Fritz, Bradley. Referred to Committee on Highways and Transportation.
- HB 675**, introduced by Krueger, Peck, Harp, Lynch, Keenan, Iverson, Nathe, Vincent, D. Brown, Driscoll, Cohen, Montayne. Referred to Committee on State Administration.
- HB 676**, introduced by Donaldson, Miles, Ream, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Natural Resources.
- HB 677**, introduced by Winslow, Schultz, Ernst, Yellowtail. Referred to Committee on Taxation.
- HB 678**, introduced by Nisbet, McCormick. Referred to Committee on State Administration.
- HB 679**, introduced by D. Brown, Iverson. Referred to Committee on Taxation.
- HB 680**, introduced by Iverson, Blaylock, Harp, Cody, Shaw, Asay, Holliday, Harper, Marks, Neuman, Abrams, D. Brown, Van Valkenburg, Kadas, Vincent, Donaldson, Nathe, Bradley, Bardanoue, Poff, Tveit, E. Smith, (By Request of the Select Committee on Water Marketing). Referred to Committee on Natural Resources.
- HB 681**, introduced by J. Brown, Bradley. Referred to Committee on Judiciary.
- HB 682**, introduced by Rapp-Svrcek, Bardanoue, Yellowtail, Schye, Cody, Nisbet, Fritz, Hirsch, Conover, Blaylock, Jenkins, Spaeth, Vincent, Towe, Koehnke, Grady, Mercer. Referred to Committee on Agriculture.
- HB 683**, introduced by Connelly, C. Smith, Jones, Nelson, B. Brown. Referred to Committee on Local Government.

The following Senate bill was introduced, read first time, and referred to committee:

- SB 122**, introduced by Jacobson, Ream, Lynch, Blaylock, Krueger, Regan, Quilici, Haffey, Keenan, Stimatz, Keating, Fuller, Van Valkenburg, Christiaens, Gage, Harding, Harrington, Lory, Menahan, Pavlovich, Eck, Yellowtail, Halligan, B. Williams, Mazurek. Referred to Committee on Human Services and Aging.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative D. Brown in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 259 - Representative Keenan moved that consideration of HB 259 be passed for the day. Motion carried.

HB 367 - Representative Wallin moved that HB 367 do pass. Representative Jenkins made a substitute motion that HB 367 be passed to the bottom of the board. Motion carried.

HB 466 - That HB 466 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Pavlovich.
Total 1

HB 492 - That HB 492 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 11 - That HJR 11 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Simon, Spaeth, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 51

Noes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Smith, Swift, Switzer, Thoft, Thomas, Wallin.

Total 48

Excused: None.

Total 0

Absent or not voting: O'Connell.

Total 1

HJR 15 - That HJR 15 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Ellerd, Holliday, Sales, Thomas.

Total 4

Excused: None.

Total 0

Absent or not voting: Krueger.

Total 1

HJR 17 - That HJR 17 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly,

Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 165 - Representative Connelly moved that HB 165, second reading copy, be amended as follows:

1. Page 2, line 24.

Following: "2."

Insert: "Utilization of local departments of health."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Jenkins, J.K. Moore, Smith, Switzer.

Total 4

Excused: None.

Total 0

Absent or not voting: Abrams, Ellison, Jones.

Total 3

That HB 165, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Donaldson, Driscoll, Ernst, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Raney, Rapp-Svrcek, Ream, Sands, Schultz, Schye, Simon, Spaeth, Switzer, Thoft, Waldron, Wallin, Zabrocki, Mr. Speaker.

Total 74

Noes: Campbell, Cobb, Compton, Devlin, Ellerd, Ellison, Eudaily, Hand, Hanson, Holliday, Jones, Lory, Manuel, Marks, J.K. Moore, Nathe, Pavlovich, Quilici, Ramirez, Rehberg, Sales, Smith, Swift, Thomas, Williams, Winslow.

Total 26

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 186 - That HB 186 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Darko, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gould, Grady, Hammond, Hand, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Rapp-Svrcek, Ream, Sands, Schultz, Schye, Smith, Spaeth, Switzer, Thoft, Thomas, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 73

Noes: Campbell, Compton, Donaldson, Ellerd, Ellison, Gilbert, Glaser, Hannah, Hansen, Hanson, Harper, Iverson, Jenkins, Jones, Keyser, Marks, Mercer, Ramirez, Raney, Rehberg, Simon, Swift, Waldron, Winslow.

Total 24

Excused: None.

Total 0

Absent or not voting: Devlin, Nathe, Sales.

Total 3

HB 293 - Representative Addy moved that HB 293, second reading copy, be amended as follows:

1. Title, line 5.

Strike: "MECHANICS"

2. Title, line 6.

Strike: "; AMENDING SECTION 71-3-515, MCA"

3. Page 1, lines 9 through 18.

Strike: section 1 in its entirety

Insert: "Section 1. Acknowledgement of lien satisfaction — penalty. Whenever a lien is paid and satisfied, it is the duty of the creditors to acknowledge satisfaction thereof and discharge the lien of record. If any creditor fails to acknowledge satisfaction, he is liable to any person injured by such failure for a civil penalty of \$100, plus any other damages provided by law.

Section 2. Codification instruction. Section 1 is intended to be codified as an integral part of Title 71, chapter 3, part 1, and the provisions of Title 71, chapter 3, part 1, apply to section 1."

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst,

Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Kadas, Nathe, Pavlovich.

Total 3

Representative Bardanouve moved that HB 293 do pass. Representative Peterson made a substitute motion that consideration of HB 293 be passed for the day. Motion carried.

HB 336 - That HB 336 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bergene, Brandewie, J. Brown, Campbell, Compton, Darko, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Sales, Schultz, Schye, Simon, Smith, Switzer, Thoft, Thomas, Wallin, Williams, Winslow.

Total 73

Noes: Bachini, Bardanouve, Bradley, D. Brown, Cobb, Cody, Cohen, Connelly, Devlin, Fritz, Hammond, Hansen, Harp, Koehnke, Miles, Montayne, Nisbet, Peterson, Raney, Ream, Sands, Spaeth, Swift, Waldron, Zabrocki, Mr. Speaker.

Total 26

Excused: None.

Total 0

Absent or not voting: Kadas.

Total 1

Representative Addy in the Chair.

HB 395 - That HB 395 do pass. Motion carried as follows:

Ayes: Abrams, Asay, Bachini, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Rapp-Svrcek, Ream, Sales, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Waldron, Williams, Zabrocki.

Total 76

Noes: Addy, Bardanouve, Bergene, Bradley, Cohen, Glaser, Harp, Harper, Hayne, Marks, Mercer, Nelson, Ramirez, Raney, Rehberg, Sands, Spaeth, Thomas, Wallin, Winslow, Mr. Speaker.

Total 21

Excused: None.

Total 0

Absent or not voting: Connelly, Krueger, Menahan.

Total 3

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman D. Brown moved the adoption of the committee report. Representative Marks made a substitute motion that HB 186 be segregated from the committee report and that, as amended, report be adopted. Motion carried as follows:

Ayes: Abrams, Asay, Bergene, Brandewie, J. Brown, Campbell, Cobb, Compton, Devlin, Donaldson, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, Marks, Mercer, J.K. Moore, Nathe, Nelson, O'Hara, Peterson, Ramirez, Raney, Rapp-Svrcek, Rehberg, Schultz, Simon, Smith, Swift, Thoft, Thomas, Waldron, Wallin, Winslow.

Total 54

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Ellerd, Fritz, Garcia, Hammond, Harbin, Harrington, Hart, Kadas, Keenan, Kennerly, McCormick, Manuel, Menahan, Miles, Miller, Montayne, J. Moore, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ream, Sales, Sands, Schye, Spaeth, Switzer, Williams, Zabrocki, Mr. Speaker.

Total 45

Excused: None.

Total 0

Absent or not voting: Ellison.

Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 282 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Devlin, Ellison, Jones, Keyser, Thoft.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 283 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Bardanouve, Ellison, Patterson, Switzer.

Total 4

Excused: None.

Total 0

Absent or not voting: Keyser, Sands.

Total 2

HB 291 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Bardanouve, Ellison.

Total 2

Excused: None.

Total 0

Absent or not voting: Hansen, O'Connell, Williams.

Total 3

HB 292 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton,

Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Ellison, Lory, Switzer.

Total 3

Excused: None.

Total 0

Absent or not voting: Jones, Schultz.

Total 2

HB 321 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Hansen.

Total 1

HB 334 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Williams.

Total 1

HB 390 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 86

Noes: Asay, D. Brown, Campbell, Devlin, Ellison, Iverson, Jenkins, Kennerly, Nathe, Patterson, Pavlovich, Phillips, Sales, Thoft.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Representative Marks moved that HB 186 be taken from second reading and referred to the Committee on Judiciary. Motion carried.

Representative Connelly moved that HB 165 be taken from engrossing and referred to the Committee on Appropriations. Motion carried.

Representative J. Moore moved that the rules be temporarily suspended to allow for the late introduction of a bill. Motion carried.

REPORTS OF STANDING COMMITTEES

JUDICIARY (Hannah, Chairman):

2/4/85

HB 446, introduced bill, be amended as follows:

1. Title, line 5.

Following: "AN ACT"

Insert: "ESTABLISHING A PROCEDURE"

2. Page 1, line 10.

Following: "support."

Strike: subsections (1) through (3) in their entirety

Insert: "(1) When the requirements of this section have been met, the amount of due and unpaid child support arrearages accrued under any judgment or order for child support issued by a district court under this chapter becomes a general lien upon all real and personal property of the obligor not exempt from execution. This lien is in addition to any other lien created by the judgment or order and has the priority granted a secured creditor.

(2) Upon a verified application by a person authorized to enforce or collect a child support obligation, by the department of revenue, or by the department of social and rehabilitation services showing that a person obligated to pay child support pursuant to a judgment or order of a district court is delinquent in an amount equal to 3 months' support payments, the court shall direct the obligated person to appear and show cause why a lien should not be imposed upon the obligor's real and personal property.

(3) If the court finds that a delinquency equal to or greater than the total of 3 months' support is owed and the court determines that the obligated person has real or personal property upon which a lien may be imposed, the court may enter an order imposing a lien in the amount of the support arrearages. The order imposing the lien must be docketed in the judgment book of the clerk of court."

3. Page 2, line 24.

Following: "support"

Strike: "and" through "obligor" on page 3, line 1

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

2/5/85

HB 337, do pass. Report adopted.

HB 351, introduced bill, be amended as follows:

1. Title, lines 8 and 9.

Strike: "PUBLIC" on line 8 through "BOARD" on line 9

Insert: "BOARDS"

2. Title, line 10.

Strike: "AND"

Insert: ",

Following: "19-3-305,"

Insert: "AND 19-4-203,"

3. Page 2.

Following: line 21

Insert: "Section 3. Section 19-4-203, MCA, is amended to read:

"19-4-203. Officers and employees of retirement board. It is the duty of the retirement board to:

(1) elect a chairman from its membership;

(2) appoint a secretary who may be one of its members;

(3) employ technical or administrative employees who are necessary for the transaction of the business of the retirement system;

(4) when the retirement board considers it necessary, designate a medical board to be composed of three physicians who are not eligible to participate in the retirement system to investigate and report to the retirement board on all medical matters related to the administration of the retirement system;

(5) designate an actuary to assist the retirement board with the technical actuarial aspects of the operation of the retirement system, which includes establishing mortality and service tables and making an actuarial investigation at least once every 5 years into the mortality, service, and compensation experience of the members and beneficiaries of the retirement system. The retirement board may retain an actuary in a manner it considers to be in the best interests of the

state and may contract for a period not to exceed 10 years. Payment and performance obligations for those bienniums following the biennium in which a contract is made are subject to the availability and appropriation of funds therefor.”

Renumber: subsequent section

4. Page 2, line 23.

Following: “employees”

Insert: “and teachers”

Strike: “board”

Insert: “boards”

And, as amended, do pass. Report adopted.

HB 361, do pass. Report adopted.

HB 372, introduced bill, be amended as follows:

1. Page 2, line 21.

Following: “.”

Insert: “A certified copy of the ordinance must be submitted to the election administrator in each affected county.”

2. Page 3, line 12.

Strike: “or” through “thereof”

3. Page 3, line 16.

Following: “six”

Insert: “than twice the number of”

And, as amended, do pass. Report adopted.

TAXATION (Devlin, Chairman):

2/5/85

HB 105, introduced bill, be amended as follows:

1. Title, lines 5 and 6.

Following: “WITHIN” on line 5

Strike: “90”

Insert: “180”

Following: “DAYS;”

Strike: “PROVIDING A PENALTY OF WITHHOLDING OF PAYMENT FOR SERVICES UNTIL APPEALS ARE DECIDED”

Insert: “ALLOWING THE PARTIES INVOLVED IN THE APPEAL TO APPLY FOR A WRIT OF MANDAMUS WHEN THE TIME PERIOD EXPIRES”

2. Page 2, line 23.

Following: “within”

Strike: “90”

Insert: “180”

3. Page 2, line 24.

Following: “within”

Strike: “90”

Insert: “180”

4. Page 2, line 25.

Following: “held.”

Insert: “(4)(a)”

5. Page 3, lines 2 through 9.

Following: “period.”

Strike: remainder of lines 2 through 9

Insert: "any party to the petition may file for a writ of mandamus pursuant to Title 27, chapter 26.

(b) No person other than a party to the petition may petition for a writ of mandamus under this section."

6. Page 5, line 7.

Following: "within"

Strike: "90"

Insert: "180"

7. Page 5, line 8.

Following: "within"

Strike: "90"

Insert: "180"

8. Page 5, lines 11 through 14.

Following: "held." on line 11

Strike: remainder of lines 11 through 14

Insert: "(6) (a) If any appeal remains pending and undecided beyond the prescribed time limit, any party to the petition may file for a writ of mandamus pursuant to Title 27, chapter 26.

(b) No person other than a party to the petition may petition for a writ of mandamus under this section."

And, as amended, do pass. Report adopted.

HB 122, introduced bill, be amended as follows:

1. Title, line 7.

Following: "PROVIDING"

Insert: "AN IMMEDIATE EFFECTIVE DATE AND"

2. Page 2, line 11.

Following: "issued,"

Insert: "a construction permit is issued,"

3. Page 2, line 14.

Following: "industry"

Strike: ", such improvements"

4. Page 2, line 22.

Following: "by"

Insert: "separate"

Following: "resolution"

Insert: "for each project"

Following: "following"

Insert: "due notice as defined in 76-15-103 and"

5. Page 2, line 24.

Following: "jurisdiction."

Insert: "The governing body may not grant approval for the project until all of the applicant's taxes have been paid in full. Taxes paid under protest do not preclude approval."

6. Page 3, line 5.

Following: "of"

Insert: "the"

Following: "improvements"

Insert: "or modernized processes"

7. Page 3.

Following: line 18

Insert: "(4) The tax benefit described in subsection (1) applies only to the number of mills levied and assessed for high school district and elementary school district purposes and to the number of mills levied and assessed by the governing body approving the benefit over which the governing body has sole discretion. In no case may the benefit described in subsection (1) apply to levies or assessments required under state law."

8. Page 3, line 23.

Following: "4."

Strike: "Applicability"

Insert: "Effective date — applicability"

Following: "act"

Insert: "is effective on passage and approval and"

9. Page 3, line 24.

Following: "beginning"

Strike: "on or"

Following: "after"

Strike: "July 1, 1985"

Insert: "December 31, 1984"

And, as amended, do pass. Report adopted.

HB 469, introduced bill, be amended as follows:

1. Title, lines 4 through 7.

Following: "AN ACT" on line 4

Strike: remainder of line 4 through "ASSESSOR;" on line 7

2. Title, line 9.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE"

3. Page 1, line 15.

Strike: "county assessor"

Insert: "department of revenue"

4. Page 2.

Following: line 16

Insert: "NEW SECTION. Section 2. Effective date — applicability.

This act is effective on passage and approval and applies to taxable years beginning after December 31, 1985."

And, as amended, do pass. Report adopted.

UNFINISHED BUSINESS

Representative Holliday announced to the membership that copies of "Issues in Ground Water Management" would be available to any member. This report is a summary of recommendations from the Governor's Ground Water Advisory Council prepared for the Legislature to promote the wise development and protection of the state's ground water resources.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

The documentary "Last Grave at Dimbaza" will be shown on February 6, room 413/415. This documentary explores the governmental role in South Africa.

Representative Harper moved that the House adjourn until 12:30 p.m., February 6, 1985.

Motion carried.

House adjourned at 3:20 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

TWENTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
February 6, 1985

House Chambers
State Capitol

House convened at 12:30 p.m., Mr. Speaker in the Chair. Invocation by Father Ed Hislop. Pledge of Allegiance to the Flag.

Roll call. All members present except Holliday, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twenty-sixth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/5/85

Correctly printed: HB 306, HB 337, HB 361, HB 371, HB 486, HB 543, HJR 19.

Considered correctly engrossed: HB 336, HB 395, HB 466, HB 492, HJR 11, HJR 15, HJR 17.

Signed by the Speaker at 11:00 a.m., 2/5/85: HB 107.

2/6/85
Correctly printed: HB 105, HB 122, HB 184, HB 351, HB 352, HB 368, HB 372, HB 378, HB 446, HB 469.

Delivered to the Governor for his approval at 10:48 a.m., 2/6/85: HB 107.

BUSINESS AND LABOR (Pavlovich, Chairman): 2/5/85

HB 184, do pass. Report adopted.

HB 378, do pass. Report adopted.

HB 428, introduced bill, be amended as follows:

1. Page 7, line 13.

Following: "~~\$500~~"

Strike: "\$1,500"

Insert: "\$1,000"

2. Page 25.

Following: line 3

Insert: "NEW SECTION. Section 15. Collection of benefit overpayments. A person who receives benefits not authorized by this chapter shall repay to the department, either directly or as authorized by the department, by offset of future benefits to which he may be entitled, or by a combination of both such methods, a sum equal to the amount received by him unless the department finds that the benefits were received through no fault of the person and the recovery of such benefits would be against equity and good conscience."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 428

A statement of intent is needed for this bill because section 5 amends 39-51-302 to clarify, modernize, and make more direct the existing grant of authority to the department of labor and industry to adopt unemployment

compensation rules, and section 6 amends 39-51-304 to substitute the department of administration for the merit system council as the agency adopting merit system principles to be followed by the department of labor and industry in hiring personnel to administer the unemployment compensation law.

Both amendments are for purposes of coordinating existing rulemaking authority with prior changes in the law. Each department should continue its current rules in effect and continue to adopt rules in the areas in which it is already adopting rules.

HB 462, introduced bill, be amended as follows:

1. Page 3, line 16.

Following: "wholesale"

Insert: "or retail"

2. Page 3, line 17.

Following: "outlets"

Insert: "or through export firms for sale to international markets"

3. Page 3.

Following: line 17

Insert: "(4) Subsection (3) does not prevent the sale of prison-made furniture to any state institution, facility, or program operated by the department."

And, as amended, do pass. Report adopted.

JUDICIARY (Hannah, Chairman):

2/5/85

HB 310, introduced bill, be amended as follows:

1. Page 4, line 18.

Following: "and"

Strike: subsection (e) in its entirety

Insert: "and"

Renumber: subsequent subsection

2. Page 5, line 2.

Following: "alleging"

Insert: "or threatening"

Following: "abuse"

Insert: ", harm, or bodily injury"

Following: "petitioner"

Strike: ", including" through "force," on line 5

3. Page 5, line 13.

Following: "spouses,"

Strike: "adult" through "marriage,"

4. Page 6, line 11.

Strike: "and"

5. Page 6, line 14.

Following: "~~dismissed.~~"

Insert: "terminates upon order of the court or when a final decree is entered or when a petition for dissolution or legal separation is voluntarily dismissed; and (d)"

6. Page 7.

Following: line 5

Strike: section 6 in its entirety

Renumber: subsequent sections

7. Page 8, line 2.

Following: "court"

Strike: ", justice" through "judge" on line 3

And, as amended, do pass. Report adopted.

HB 323, introduced bill, be amended as follows:

1. Page 1, line 9.

Following: "minor"

Insert: ", as defined in 20-25-501,"

2. Page 1, line 17.

Strike: "less than \$100 or"

3. Page 1, line 19.

Following: "(2)"

Strike: "The" through "of"

Insert: "When"

4. Page 1, line 20.

Strike: "who"

5. Page 1, line 25.

Following: "thereof"

Insert: ", the minor's parent or legal guardian having custody of the minor"

6. Page 2, line 2.

Strike: "less than \$100 or"

And, as amended, do pass. Report adopted.

HB 332, introduced bill, be amended as follows:

1. Title, line 5.

Following: "TO"

Strike: "CERTIFICATES" through "THE" on line 6

2. Title, line 10.

Following: "AMENDING"

Strike: "SECTIONS 61-3-601 AND"

Insert: "SECTION"

3. Page 1.

Following: line 12

Strike: section 1 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 333, do pass. Report adopted.

HB 335, introduced bill, be amended as follows:

1. Page 3, line 5.

Following: "bail"

Strike: "by" through "judgments" on line 7

And, as amended, do pass. Report adopted.

HB 340, introduced bill, be amended as follows:

1. Page 2, line 9.

Strike: "10"

Insert: "5"

And, as amended, do pass. Report adopted.

HB 341, introduced bill, be amended as follows:

1. Page 1, line 23.

Following: "payment"

Insert: "when there is no good faith dispute as to the value of the goods delivered or services rendered"

And, as amended, do pass. Report adopted.

HB 352, do pass. Report adopted.

HB 447, introduced bill, be amended as follows:

1. Page 1, line 17.

Following: "for"

Strike: "debts" through "the"

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Darko, Chairman):

2/5/85

HB 232, introduced bill, be amended as follows:

1. Page 2, lines 13 and 14.

Strike: "on the first Tuesday of the first April"

Insert: "on the next regular school election day held in accordance with 20-3-304"

2. Page 2, line 20.

Strike: "on the first Tuesday of April"

Insert: "each odd-numbered year at the regular school day held in accordance with 20-3-304"

3. Page 2.

Following: line 20

Insert: "NEW SECTION. Coordination. If Senate Bill No. 169 is passed and approved, this act is void."

And, as amended, do pass. Report adopted.

HB 279, do pass. Report adopted.

HB 299, do pass. Report adopted.

HB 582, introduced bill, be amended as follows:

1. Page 1, line 12.

Strike: "civil"

2. Page 1, line 20.

Strike: "civil"

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 347, do not pass.

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

February 5, 1985

Dear Mr. Speaker:

Please be informed that I have signed House bills 5, 60, 61, 110, 113, and 123 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

February 6, 1985

Dear Mr. Speaker:

Please be informed that I have signed House bill 76 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House: 2/5/85

HB 6, introduced by Marks

HB 88, introduced by Keyser

HB 137, introduced by Driscoll

Senate bills passed and transmitted to the House for concurrence: 2/5/85

SB 112, introduced by Story

SB 154, introduced by Smith, et al.

SB 166, introduced by McCallum

SB 189, introduced by Manning

SB 192, introduced by Christiaens, et al.

SB 216, introduced by Boylan, et al.

SB 224, introduced by Van Valkenburg, et al.

SB 224, introduced by Mazurek, Towe

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 684, introduced by Waldron, (By Request of the Department of Administration). Referred to Committee on Appropriations.

HB 685, introduced by J. Hammond, Peck, Brandewie. Referred to Committee on Education and Cultural Resources.

HB 686, introduced by Keenan, Miles, Krueger, Addy, J.K. Moore, J. Moore, Darko, Mercer, Bergene, Nathe, Miller, Cobb. Referred to Committee on Judiciary.

HB 687, introduced by Fritz, Peterson, Hayne, Nelson, Zabrocki, J. Hammond. Referred to Committee on Local Government.

HB 688, introduced by Ellerd, Boylan, Anderson, Holliday, Sales, E. Smith, Shaw, Eck, Abrams, Keyser, Lane, Wallin, Vincent, Bradley, Nathe, Galt. Referred to Committee on Appropriations.

- HB 689**, introduced by Menahan, Pavlovich, Quilici. Referred to Committee on Taxation.
- HB 690**, introduced by Bardanouve, (By Request of the Department of Revenue). Referred to Committee on Taxation.
- HB 691**, introduced by Menahan, Harp, D. Brown. Referred to Committee on Business and Labor.
- HB 692**, introduced by J. Moore. Referred to Committee on Fish and Game.
- HB 693**, introduced by Koehnke, Manuel, Abrams, Devlin, Spaeth, Harbin, Bachini, Hayne, Grady, Thoft, Schultz, Holliday, Schye, Hand, Bengtson, Howe, Cody, Marks, Rapp-Svrcek, Lane, Poff, Wallin. Referred to Committee on Taxation.
- HB 694**, introduced by Asay, Simon, E. Smith, Tveit, Jones, Gilbert, Devlin. Referred to Committee on Business and Labor.
- HB 695**, introduced by Asay. Referred to Committee on Natural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Thomas in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

- HB 259** - Representative Keenan moved that consideration of HB 259 be passed for the day. Motion carried.
- HB 293** - Representative Miller moved that Representative Addy's amendment to HB 293, second reading on the 26th legislative day, be amended as follows:

1. Page 1, amending section 1, after line 18.

Following: "satisfied"

Insert: "or the claim upon which it is based has been found invalid by final order or judgment of a court of competent jurisdiction"

Strike: "thereof"

Insert: "within 30 days"

Following: "record"

Insert: "by filing a release of the lien in the office of the county clerk and recorder in each county in which the notice of lien was filed"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Sales.

Total 1

Excused: Holliday.

Total 1

Absent or not voting: Marks.

Total 1

That HB 293, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Campbell, Ellerd, Sales.

Total 3

Excused: Holliday.

Total 1

Absent or not voting: Bergene.

Total 1

Representatives Bergene and Manuel excused at this time.

HB 419 - That HB 419 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Bergene, Holliday, Manuel.

Total 3

Absent or not voting: Fritz.

Total 1

HB 436 - That HB 436 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly,

Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schye, Simon, Smith, Spaeth, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 89

Noes: Gilbert, Hannah, Poff, Sales, Schultz, Swift.
Total 6

Excused: Bergene, Holliday, Manuel.
Total 3

Absent or not voting: Keyser, Pavlovich.
Total 2

HB 478 - That HB 478 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Bergene, Holliday, Manuel.
Total 3

Absent or not voting: Hansen, Hanson, Switzer.
Total 3

HB 367 - Representative Wallin moved that HB 367, second reading copy, be amended as follows:

1. Page 1, line 18.
Strike: "the"
Insert: "a"
2. Page 1, line 20.
Strike: "prepared"
Insert: "has reviewed"
3. Page 1, line 24.
Strike: "the"
Insert: "an"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly,

Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Bergene, Holliday, Manuel.

Total 3

Absent or not voting: Jones.

Total 1

That HB 367, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Bergene, Holliday, Manuel.

Total 3

Absent or not voting: Waldron.

Total 1

Representative Bergene present at this time.

HB 345 - That HB 345 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Holliday, Manuel.

Total 2

Absent or not voting: Nathe.

Total 1

HB 426 - Representative Spaeth moved that HB 426, second reading copy, be amended as follows:

1. Title, line 5.

Strike: "ALLOW" through "MET" on line 8

Insert: "ESTABLISH CONDITIONS UNDER WHICH A STAY OF AN AGENCY DECISION MAY BE GRANTED"

2. Title, line 8.

Strike: "SECTIONS"

Insert: "SECTION"

3. Title, line 9.

Strike: "AND 69-3-403"

4. Page 2, line 24.

Following: "grant"

Strike: "a" through "proper," on line 25

5. Page 3, line 1.

Following: "~~proper~~"

Strike: "if" through "met" on line 3

Insert: "upon terms which it considers proper, following notice to the affected parties and an opportunity for hearing. A stay may be issued without notice only if the provisions of 27-19-315, 27-19-316(4), and 27-19-317 are met"

6. Page 3.

Following: line 13

Strike: section 2 in its entirety

Renumber: subsequent section

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Holliday, Manuel.

Total 2

Absent or not voting: None.

Total 0

That HB 426, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: Campbell, Gilbert, Glaser, Gould, Keyser, Kitselman, Sales.

Total 7

Excused: Holliday, Manuel.

Total 2

Absent or not voting: None.

Total 0

HB 429 - Representative Pavlovich moved that HB 429, second reading copy, be amended as follows:

1. Page 2, line 4.

Strike: "DEFINED"

Insert: "provided for"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Holliday, Manuel.

Total 2

Absent or not voting: Marks.

Total 1

Representative Hand moved that HB 429, as amended, do pass.
Representative Waldron made a substitute motion that HB 429, as amended, do not pass. The substitute motion carried as follows:

Ayes: Abrams, Asay, Bardanouve, Bergene, Bradley, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Hammond, Hannah, Hansen, Harbin, Harp, Hart, Hayne, Howe, Iverson, Jenkins, Kadas, Keenan, Kennerly, Keyser, Lory, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Ream, Rehberg, Sales, Sands, Schye, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Williams, Winslow, Mr. Speaker.

Total 63

Noes: Addy, Bachini, Brandewie, D. Brown, J. Brown, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hanson, Harper, Harrington, Jones, Keller, Kitselman, Koehnke, Krueger, McCormick, Miles, O'Connell, Patterson, Pavlovich, Pistoria, Raney, Rapp-Svrcek, Schultz, Simon, Smith, Wallin, Zabrocki.

Total 35

Excused: Holliday, Manuel.

Total 2

Absent or not voting: None.

Total 0

Representative Manuel present at this time.

Representative Bergene excused at this time.

HB 306 - That HB 306 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 90

Noes: Bardanouve, Cohen, Devlin, Raney, Sales.

Total 5

Excused: Bergene, Holliday.

Total 2

Absent or not voting: Ellison, Montayne, Pavlovich.

Total 3

HB 337 - That HB 337 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands,

Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Bergene, Holliday.

Total 2

Absent or not voting: Asay, Grady.

Total 2

HB 361 - That HB 361 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Bergene, Holliday.

Total 2

Absent or not voting: None.

Total 0

Representative Keyser in the Chair.

HB 371 - That HB 371 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harrington, Hayne, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Marks, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 76

Noes: Abrams, Brandewie, Campbell, Ellison, Gilbert, Glaser, Harper, Hart, Howe, Keller, Koehnke, Manuel, Mercer, O'Hara, Patterson, Peck, Phillips, Pistoria, Ramirez, Sales, Spaeth, Wallin.

Total 22

Excused: Holliday.

Total 1

Absent or not voting: Harp.

Total 1

HB 486 - That HB 486 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: Montayne.

Total 1

Excused: Holliday.

Total 1

Absent or not voting: None.

Total 0

Representative Thomas in the Chair.

HB 543 - That HB 543 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Holliday.

Total 1

Absent or not voting: None.

Total 0

HJR 19 - That HJR 19 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser,

Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Holliday.
Total 1

Absent or not voting: None.
Total 0

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Thomas moved the adoption of the committee report. Report adopted. (96-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 214 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 94

Noes: Keyser, Nathe, Nisbet.
Total 3

Excused: Holliday.
Total 1

Absent or not voting: Connelly, Kadas.
Total 2

HB 336 passed as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Brandewie, J. Brown, Campbell, Cobb, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Schultz,

Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow.

Total 76

Noes: Bachini, Bergene, Bradley, D. Brown, Cody, Cohen, Devlin, Ellerd, Fritz, Hansen, Harbin, Harp, Kadas, Koehnke, Nathe, Nisbet, Peterson, Raney, Sales, Sands, Spaeth, Zabrocki, Mr. Speaker.

Total 23

Excused: Holliday.

Total 1

Absent or not voting: None.

Total 0

HB 346 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connolly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Holliday.

Total 1

Absent or not voting: None.

Total 0

HB 395 passed as follows:

Ayes: Abrams, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connolly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harrington, Hart, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 84

Noes: Addy, Bardanouve, Cohen, Glaser, Harper, Hayne, Mercer, Nelson, Ramirez, Raney, Sands, Thomas, Wallin, Winslow.

Total 14

Excused: Holliday.

Total 1

Absent or not voting: Krueger.

Total 1

HB 466 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Holliday.

Total 1

Absent or not voting: None.

Total 0

HB 492 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Holliday.

Total 1

Absent or not voting: McCormick.

Total 1

HJR 11 failed to pass as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, Pavlovich, Peck, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Simon, Spaeth, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 50

Noes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Peterson, Phillips, Pistoria, Ramirez, Rehberg, Sales, Sands, Schultz, Smith, Swift, Switzer, Thoft, Thomas, Wallin.

Total 50

Paired: Holliday, Aye; Hand, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 15 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Ellerd, Gould, Holliday, Keyser, Sales, Thomas, Waldron.

Total 7

Paired: Schye, Aye; Holliday, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 17 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Gould.

Total 1

Excused: Holliday.

Total 1

Absent or not voting: Marks, Switzer.

Total 2

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/6/85

Correctly printed: HB 323, HB 332, HB 333, HB 335, HB 340, HB 447.

Correctly enrolled: HB 10, HB 28, HB 31, HB 32, HB 42, HB 80, HB 124.

Examined by the sponsor (Eudaily) and found to be correct: HB 10.

Examined by the sponsor (Williams) and found to be correct: HB 28, HB 31.

Examined by the sponsor (Keenan) and found to be correct: HB 32.

Examined by the sponsor (Manuel) and found to be correct: HB 42.

Examined by the sponsor (Waldron) and found to be correct: HB 80.

Examined by the sponsor (Addy) and found to be correct: HB 124.

STATE ADMINISTRATION (Sales, Chairman): 2/6/85

HB 359, do pass. Report adopted.

Adverse Committee Reports

HB 427, do not pass.

HB 451, do not pass.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 12:30 p.m., February 7, 1985.

Motion carried.

House adjourned at 2:45 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

TWENTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
February 8, 1985

House Chambers
State Capitol

House convened at 12:30 p.m., Mr. Speaker in the Chair. Invocation by Father Ed Hislop. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellerd, Holliday, Jenkins, Kennerly, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twenty-seventh legislative day, find the same to be correct.

Menahan, Chairman

COMMUNICATIONS AND PETITIONS

TO: MEMBERS OF THE HOUSE OF REPRESENTATIVES

FROM: JOHN VINCENT, SPEAKER

The Associated Press account of yesterday's deliberations in the House should serve to remind all of us that everything we do and everything we say is in the public eye.

The press will report us at our best and at our worst. But the public's perception of the House is most often based not on our finest moments, but on those few occasions when we fail to meet the high standards that are expected of us and which befit the high offices we hold.

Yesterday, we had a "good" laugh on second reading - but the last laugh will be on us if we act in ways that the public believes are inappropriate.

Tasteful humor has an important place in the House. But the House must not sacrifice its high standards of decorum for the sake of humor.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/6/85

Correctly printed: HB 232, HB 279, HB 299, HB 310, HB 341, HB 359, HB 428, HB 462, HB 582.

Considered correctly engrossed: HB 306, HB 337, HB 345, HB 361, HB 371, HB 419, HB 436, HB 478, HB 486, HB 543, HJR 19.

Correctly engrossed: HB 293, HB 367, HB 426.

2/7/85

Correctly printed: HJR 20.

Signed by the Speaker at 9:00 a.m., 2/7/85: HB 10, HB 28, HB 31, HB 32, HB 42, HB 80, HB 124.

Delivered to the Governor for his approval at 10:24 a.m., 2/7/85: HB 10, HB 28, HB 31, HB 32, HB 42, HB 80, HB 124.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Schultz, Chairman):

2/6/85

HJR 20, do pass. Report adopted.

BUSINESS AND LABOR (Pavlovich, Chairman):

2/6/85

HB 236, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman):

2/6/85

HB 412, introduced bill, be amended as follows:

1. Page 3, lines 20 through 22.

Following: "services."

Strike: remainder of lines 20 through 22

2. Page 6.

Following: line 12

Insert: "NEW SECTION. Section 2. Extension of authority. Any existing authority of the superintendent of public instruction to make rules on the subject of the provisions of this act is extended to the provisions of this act."

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 415, do not pass.

HUMAN SERVICES AND AGING (Keenan, Chairman):

2/6/85

HB 183, do pass. Report adopted.

HB 358, introduced bill, be amended as follows:

1. Page 5, line 3.

Following: "contacting"

Strike: "before noon"

Insert: "by the end"

And, as amended, do pass. Report adopted.

HB 560, do pass. Report adopted.

LOCAL GOVERNMENT (Darko, Chairman):

2/8/85

Adverse Committee Report

HB 347, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 85

Noes: Cobb, Gilbert, Gould, Keyser, Nisbet, O'Connell, Pistoria, Thomas, Waldron.

Total 9

Excused: Eller, Holliday, Jenkins, Kennerly.

Total 4

Absent or not voting: Iverson, Nathe.

Total 2

MESSAGES FROM THE OTHER HOUSE

Senate bills passed and transmitted to the House for concurrence: 2/6/85

SB 133, introduced by Mohar, et al.

SB 138, introduced by Mohar, et al.

SB 159, introduced by Fuller, J. Brown

SB 163, introduced by Harding

SB 199, introduced by Fuller, et al.

MOTIONS

Representative Hannah moved that HB 341 be taken from second reading and referred to the Committee on Judiciary for the purpose of amendment. Motion carried.

Representative Pistoria moved that consideration of HB 368, second reading, be passed until the 37th legislative day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Abrams excused at this time.

HB 259 - That HB 259 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Abrams, Ellerd, Holliday, Jenkins, Kennerly.

Total 5

Absent or not voting: Lory, Williams.

Total 2

Representative Ernst excused at this time.

HB 105 - That HB 105 do pass. Motion carried as follows:

Ayes: Asay, Bergene, Brandewie, J. Brown, Cobb, Compton, Devlin, Donaldson, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Harp, Harrington, Hayne, Iverson, Jones, Keller, Keyser, Koehnke, Krueger, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Thoft, Thomas, Waldron, Wallin, Winslow.

Total 49

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, Campbell, Cody, Cohen, Connelly, Darko, Driscoll, Garcia, Hammond, Hansen, Hanson, Harbin, Harper, Hart, Howe, Kadas, Keenan, Kitselman, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Williams, Zabrocki, Mr. Speaker.

Total 42

Excused: Abrams, Ellerd, Ernst, Holliday, Jenkins, Kennerly, Lory.

Total 7

Absent or not voting: Fritz, Switzer.

Total 2

HB 122 - Representative D. Brown moved that HB 122 be placed below HB 332. Motion carried.

Representative Harp excused at this time.

Representative Ernst present at this time.

HB 184 - Representative Harper moved that HB 184, second reading copy, be amended as follows:

1. Page 1, line 18.

Following: line 17

Insert: "NEW SECTION. Section 2. Section 1 does not apply to any electronic or video machine that simulates or attempts to simulate the game of bingo."

Amendment passed as follows:

Ayes: Addy, Asay, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Cobb, Cohen, Compton, Connelly, Darko, Donaldson, Ellison, Eudaily, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harper, Hart, Hayne, Kadas, Keller, Kitselman, Koehnke, Mercer, Miles, Miller, J. Moore, Nathe, Nelson, O'Hara, Patterson, Peck, Peterson, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 58

Noes: Bachini, D. Brown, Campbell, Cody, Devlin, Driscoll, Fritz, Garcia, Gould, Hanson, Harrington, Howe, Iverson, Jones, Keenan, Keyser, Krueger, McCormick, Manuel, Marks, Menahan, Montayne, J.K. Moore, Nisbet, O'Connell, Pavlovich, Phillips, Pistoria, Quilici, Schye, Smith, Spaeth, Switzer, Zabrocki.

Total 34

Excused: Abrams, Ellerd, Harp, Holliday, Jenkins, Kennerly, Lory.

Total 7

Absent or not voting: Ernst.

Total 1

Representative Schye moved that HB 184, as amended, do pass.

Representative D. Brown moved that consideration of HB 184 be passed for the day. Motion carried. (58-37)

Representative Abrams present at this time.

Representative Harper excused at this time.

HB 232 - Representative Darko moved that HB 232, second reading copy, be amended as follows:

1. Page 2, line 22.

Following: "SCHOOL"

Insert: "election"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Ellerd, Harp, Harper, Holliday, Jenkins, Kennerly, Lory.

Total 7

Absent or not voting: Donaldson.

Total 1

That HB 232, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Ellerd, Harp, Harper, Holliday, Jenkins, Kennerly, Lory.

Total 7

Absent or not voting: Fritz, Montayne.

Total 2

HB 279 - That HB 279 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe,

Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 90

Noes: Hannah, Marks, Peck.

Total 3

Excused: Ellerd, Harp, Harper, Holliday, Jenkins, Kennerly, Lory.

Total 7

Absent or not voting: None.

Total 0

HB 299 - That HB 299 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: Campbell, Connelly, Pistoria.

Total 3

Excused: Ellerd, Harp, Harper, Holliday, Jenkins, Kennerly, Lory.

Total 7

Absent or not voting: Brandewie, McCormick, Nelson.

Total 3

Representatives Harper and Lory present at this time.

HB 310 - Representative Rapp-Svrcek moved that HB 310, second reading copy, be amended. Amendment failed. (45-48)

Representative Waldron moved that HB 310, second reading copy, be amended as follows:

1. Page 6, line 25.

Following: "prepare"

Insert: "uniform sample"

2. Page 7, line 3.

Following: "distribute"

Insert: "samples of"

3. Page 7, line 7.

Following: "make"

Strike: "the"

4. Page 8, line 13.

Following: "procedures"

Insert: ", using an existing system for warrant verification,"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Ellerd, Harp, Holliday, Jenkins, Kennerly.

Total 5

Absent or not voting: Ellison.

Total 1

Representative Ramirez moved that HB 310, second reading copy, be further amended as follows:

1. Page 5, line 2.

Strike: "OR THREATENING"

2. Page 5, line 3.

Following: "INJURY"

Insert: "or the threat of physical abuse, harm, or bodily injury"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Ellerd, Harp, Holliday, Jenkins, Kennerly.

Total 5

Absent or not voting: Ellison, Pavlovich.

Total 2

Representative Waldron moved that HB 310, as amended, do pass. Representative Ramirez made a substitute motion that HB 310, second reading copy, be further amended as follows:

1. Page 7, lines 7 through 9.

Strike: “, and” through “[section 6]”

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Hart, Hayne, Howe, Iverson, Jones, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 87

Noes: Cohen, Connelly, Harrington, Kadas, Keenan, Miles, Rapp-Svrcek.

Total 7

Excused: Ellerd, Harp, Holliday, Jenkins, Kennerly.

Total 5

Absent or not voting: Winslow.

Total 1

Representative Ramirez moved that HB 310, second reading copy, be further amended as follows:

1. Page 6, line 20.

Strike: “8”

Insert: “7”

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Ellerd, Harp, Holliday, Jenkins, Kennerly.

Total 5

Absent or not voting: None.

Total 0

That HB 310, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gilbert,

Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Ellerd, Harp, Holliday, Jenkins, Kennerly.

Total 5

Absent or not voting: Campbell, Ellison, Gould.

Total 3

HB 323 - Representative J.K. Moore moved that HB 323, second reading copy, be amended as follows:

1. Page 1, line 18.

Following: "not"

Insert: "less than \$25 or"

2. Page 2, line 3.

Following: "not"

Insert: "less than \$25 or"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jones, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 88

Noes: Cohen, Hansen, Kadas, Menahan, Montayne, Sales.

Total 6

Excused: Ellerd, Harp, Holliday, Jenkins, Kennerly.

Total 5

Absent or not voting: Manuel.

Total 1

That HB 323, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Miles, Miller, Montayne, J.K. Moore,

J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki.
Total 82

Noes: D. Brown, Cohen, Hand, Hansen, Keenan, Menahan, Ream, Williams, Mr. Speaker.
Total 9

Excused: Ellerd, Harp, Holliday, Jenkins, Kennerly.
Total 5

Absent or not voting: Campbell, Manuel, Marks, Mercer.
Total 4

HB 332 - That HB 332 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Howe, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.
Total 88

Noes: Driscoll, Jones, Menahan, Sales, Zabrocki.
Total 5

Excused: Ellerd, Harp, Holliday, Jenkins, Kennerly.
Total 5

Absent or not voting: Hayne, Iverson.
Total 2

Representative Harp present at this time.

HB 122 - Representative D. Brown moved that HB 122 do pass. Representative D. Brown made a substitute motion that HB 122, second reading copy, be amended as follows:

1. Page 4, line 1.
Following: "FOR"
Insert: "local"

2. Page 4, line 7.
Following: "REQUIRED"
Insert: "under 20-9-331, 20-9-333, Title 15, chapter 10, or otherwise required"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory,

McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Ellerd, Holliday, Jenkins, Kennerly.

Total 4

Absent or not voting: Marks.

Total 1

That HB 122, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Asay, Bachini, Bergene, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Devlin, Driscoll, Ellison, Ernst, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Harrington, Hart, Hayne, Howe, Iverson, Jones, Keller, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, Nathe, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rehberg, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki.

Total 67

Noes: Addy, Bardanouve, Bradley, Cody, Cohen, Connelly, Darko, Eudaily, Fritz, Garcia, Hammond, Hansen, Harbin, Harper, Kadas, Keenan, Lory, Miles, J. Moore, Nelson, Nisbet, Raney, Rapp-Svrcek, Ream, Sales, Schye, Waldron, Mr. Speaker.

Total 28

Excused: Ellerd, Holliday, Jenkins, Kennerly.

Total 4

Absent or not voting: Donaldson.

Total 1

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Harrington moved the adoption of the committee report. Report adopted. (96-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 293 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici,

Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Campbell, Ellerd, Sales.

Total 3

Paired: Keyser, Aye; Ellerd, No.

Excused: Holliday, Jenkins, Kennerly.

Total 3

Absent or not voting: None.

Total 0

HB 306 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Devlin, Hanson, Raney, Sales.

Total 4

Excused: Ellerd, Holliday, Jenkins, Kennerly.

Total 4

Absent or not voting: None.

Total 0

HB 337 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Ellerd, Holliday, Jenkins, Kennerly.

Total 4

Absent or not voting: None.

Total 0

HB 345 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Ellerd, Holliday, Jenkins, Kennerly.

Total 4

Absent or not voting: None.

Total 0

HB 361 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Ellerd, Holliday, Jenkins, Kennerly.

Total 4

Absent or not voting: None.

Total 0

HB 367 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich,

Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Bardanouve, Cody.

Total 2

Excused: Ellerd, Holliday, Jenkins, Kennerly.

Total 4

Absent or not voting: None.

Total 0

HB 371 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hayne, Iverson, Jones, Kadas, Keenan, Keyser, Kitselman, Krueger, Lory, McCormick, Menahan, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peterson, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 75

Noes: Abrams, Asay, Campbell, Ellison, Gilbert, Glaser, Hart, Howe, Keller, Koehnke, Manuel, Marks, Mercer, J.K. Moore, Patterson, Peck, Phillips, Ramirez, Sales, Wallin.

Total 20

Excused: Ellerd, Holliday, Jenkins, Kennerly.

Total 4

Absent or not voting: Ream.

Total 1

HB 419 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Ellerd, Holliday, Jenkins, Kennerly.

Total 4

Absent or not voting: Peterson.

Total 1

HB 426 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: Campbell, Ellison, Glaser, Hanson, Hayne, Sales, Thomas.

Total 7

Excused: Ellerd, Holliday, Jenkins, Kennerly.

Total 4

Absent or not voting: None.

Total 0

HB 436 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 88

Noes: Fritz, Gilbert, Kitselman, Koehnke, Poff, Sales, Swift.

Total 7

Excused: Ellerd, Holliday, Jenkins, Kennerly.

Total 4

Absent or not voting: Hansen.

Total 1

HB 478 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz,

Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Ellerd, Holliday, Jenkins, Kennerly.

Total 4

Absent or not voting: None.

Total 0

HB 486 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Ellerd, Holliday, Jenkins, Kennerly.

Total 4

Absent or not voting: Cobb.

Total 1

HB 543 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Ellerd, Holliday, Jenkins, Kennerly.

Total 4

Absent or not voting: Bergene.

Total 1

HJR 19 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Campbell, Sales.

Total 2

Excused: Ellerd, Holliday, Jenkins, Kennerly.

Total 4

Absent or not voting: Bergene.

Total 1

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/7/85

Correctly printed: HB 183, HB 236, HB 358, HB 560.

Correctly enrolled: HB 6, HB 88, HB 137.

Examined by the sponsor (Marks) and found to be correct: HB 6.

Examined by the sponsor (Keyser) and found to be correct: HB 88.

Examined by the sponsor (Driscoll) and found to be correct: HB 137.

JUDICIARY (Hannah, Chairman):

2/7/85

HB 440, do pass. Report adopted.

HB 443, introduced bill, be amended as follows:

1. Title, line 9.

Following: "MONTH;"

Insert: "REQUIRING THE DEPARTMENT TO FORWARD ANY CHILD SUPPORT PAYMENTS TO THE OBLIGEE WITHIN 10 DAYS OF RECEIPT OF THE PAYMENT FROM OBLIGOR;"

2. Page 5.

Following: line 8

Insert: "(3) Whenever an obligation for support is paid through the support enforcement and collections unit of the department, the department must forward payment to the obligee within 10 days of the department's receipt of payment from the obligor."

3. Page 11, lines 9 and 10.

Strike: "or income"

And, as amended, do pass. Report adopted.

HB 609, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

2/8/85

Adverse Committee Reports

HB 427, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Howe, Iverson, Jones, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki.

Total 81

Noes: D. Brown, Driscoll, Harrington, Hayne, Krueger, Montayne, Nisbet, O'Connell, Pistoria, Rapp-Svrcek, Mr. Speaker.

Total 11

Excused: Ellerd, Holliday, Jenkins, Kennerly.

Total 4

Absent or not voting: Fritz, Hansen, Hart, Kadas.

Total 4

HB 451, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Thoft, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 85

Noes: Cobb, Miller, J.K. Moore, Nathe, Phillips, Sales, Swift, Thomas, Wallin.

Total 9

Excused: Ellerd, Holliday, Jenkins, Kennerly.

Total 4

Absent or not voting: Hannah, Peterson.

Total 2

TAXATION (Devlin, Chairman):

2/6/85

HB 168, introduced bill, be amended as follows:

1. Page 2, lines 14 and 15.

Following: "using" on line 14

Strike: remainder of lines 14 and 15

Insert: "the formula $V = I/R$ where:

(a) V is the per-acre productive capacity value of agricultural land in each land use and production category;

(b) I is the per-acre net income of agricultural land in each land use and production category and is to be determined by the department using the formula $I = (P - C)U$ where:

- (i) I is the per-acre net income;
- (ii) P is the per-acre unit price of the commodity being produced;
- (iii) C is the per-unit production cost of the commodity being produced; and
- (iv) U is the yield in units per acre; and
- (c) R is the capitalization rate to be determined by the department as provided in subsection (11)."

2. Page 2, line 23.

Following: "sources"

Strike: "may"

Insert: "shall"

Following: "include"

Strike: "the"

3. Page 2, line 24.

Strike: "department of agriculture"

4. Page 2.

Following: line 24

Insert: "(6) Montana state university shall annually compile commodity price data reflecting the average prices received per unit of measure by Montana farmers and ranchers. Such data shall be obtained from all geographical areas of the state. Commodity prices shall include but not be limited to wheat, barley, alfalfa hay, grass hay, corn for grain, corn for silage, sugar beets, dry beans, potatoes, cattle, and sheep. Such commodity prices shall include government payments calculated per unit of measure. Typical rental arrangements shall be compiled for each use.

(7) Montana state university shall annually compile adequate production cost data reflecting average costs per unit of measure paid by Montana farmers and ranchers. Such data shall be obtained from all geographical areas of the state. Such production costs shall include but not be limited to costs relating to irrigation, fertilization, fuel, seed, weed control, hired labor, management, insurance, repairs and maintenance, and miscellaneous items. Variations in specific production cost data, when affected by different levels of production, and typical rental arrangements shall be compiled for each land use.

(8) The commodity price and production cost data shall be made available to the department of revenue annually.

(9) The department shall appoint an advisory committee of persons knowledgeable in agriculture and agricultural economics to review the data prepared by Montana state university and advise the department on the implementation of subsections (2) through (8)."

Renumber: subsequent subsections

5. Page 3, lines 2 and 3.

Following: "use" on line 2

Strike: "based on the production level comprising the greatest number of acres in each use"

Insert: "and production level according to the provisions of subsections (4) through (9)"

6. Page 3, lines 11 through 13.

Following: "total" on line 11

Strike: "dollar value of all property taxes levied in the state by the total taxable value of all taxable property in the state"

Insert: "estimated tax due on agricultural land in the state by the total productive capacity value of agricultural land in the state"

And, as amended, do pass. Report adopted.

HB 518, do pass. Report adopted.

2/7/85

Adverse Committee Report

HB 307, do not pass.

MESSAGES FROM THE OTHER HOUSE

Senate bill passed and transmitted to the House for concurrence: 2/5/85

SJR 10, introduced by Neuman, et al.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 696, introduced by Kitselman, Spaeth, Haffey, Goodover, Asay. Referred to Committee on Taxation.

HB 697, introduced by Krueger, Menahan, Keenan, Cohen, Haffey, Ream, Raney, Hansen, Addy, Mercer. Referred to Committee on Highways and Transportation.

HB 698, introduced by Ream, D. Brown, Addy, Raney, Eck, Ellison, Iverson, Kadas, Halligan, Cohen, Phillips, Miles, Mohar, Keller, Harp, Cobb, Spaeth, Driscoll, Darko, Fritz, Krueger, (By Request of the Department of State Lands). Referred to Committee on Natural Resources.

HB 699, introduced by J. Moore, Harbin, Darko, Ream. Referred to Committee on Education and Cultural Resources.

HB 700, introduced by Mercer. Referred to Committee on Judiciary.

HB 701, introduced by Fritz, B. Brown, Fuller, Halligan, Spaeth, Ream, Menahan, D. Brown, Thomas, Severson, Swift, Farrell, Keenan, Thoft, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 702, introduced by Harbin, (By Request of the Department of State Lands). Referred to Committee on State Administration.

HB 703, introduced by Peck, Stephens, Crippen, Kolstad, Bengtson, Bachini, Regan, Garcia, M. Williams, Addy, Driscoll, H. Hammond, Rehberg, Montayne, Schye, Jenkins. Referred to Committee on Appropriations.

HB 704, introduced by Marks, Campbell, Waldron, J.K. Moore, Harper, Keyser, Peck, Koehnke. Referred to Committee on Taxation.

HB 705, introduced by Rehberg, Keller, Ernst, Patterson, Swift, McCallum, Iverson, Ramirez, Boylan, Hanson, E. Smith, Nathe, Conover. Referred to Committee on State Administration.

HB 706, introduced by Mercer, Quilici, Halligan. Referred to Committee on Judiciary.

HB 707, introduced by Jenkins, Manuel, Compton, Iverson. Referred to Committee on Business and Labor.

HB 708, introduced by Menahan, Keenan. Referred to Committee on Education and Cultural Resources.

HB 709, introduced by Harrington, Quilici. Referred to Committee on State Administration.

HB 710, introduced by Kadas. Referred to Committee on Judiciary.

HB 711, introduced by Cohen, Brandewie, Mercer, Pinsoneault, Harp, Ream, Kadas, Miles, C. Smith, Jones, Harbin, Darko, Eck, Lybeck, Nelson, Connelly, Harper, B. Brown, Harding. Referred to Committee on Natural Resources.

HB 712, introduced by Miller, Cobb, Abrams, Spaeth, E. Smith, Conover, D. Brown, Bradley, Ernst, Jenkins, Boylan. Referred to Committee on Judiciary.

HB 713, introduced by Wallin, Asay, Gilbert, Raney, Koehnke, Ernst, Pistoria, Brandewie, Schultz, McCormick, Mercer, Harbin, Ream, Peterson, Keller, Bachini, O'Hara, Nathe, Hayne, Jones, Ellison, Sands, Patterson, Ellerd, Marks. Referred to Committee on State Administration.

HB 714, introduced by Spaeth, Ramirez, (By Request of the Department of Administration). Referred to Committee on Judiciary.

HB 715, introduced by Spaeth, Mazurek, Bergene, Patterson, Keller, Hand, Abrams, Howe, Grady, Ramirez, Christiaens, Mercer. Referred to Committee on Education and Cultural Resources.

HJR 21, introduced by Fritz, Vincent, J. Moore, Darko, Harbin, Garcia, Raney, Bardanouve, Menahan, Peck, Holliday, O'Connell, Zabrocki, Poff, Cody, Montayne, Kennerly, McCormick, Keenan, Addy, Howe, Miles, Rapp-Svrcek, Nisbet, Schye, Krueger, Abrams, Kadas, M. Williams, Quilici, Waldron, J. Brown, Harper, Harrington, Ream, J. Hammond, M. Hart, Manuel, Hansen, Hand, Connelly, Bradley, Lory. Referred to Committee on Taxation.

The following Senate bill was introduced, read first time, and referred to committee:

SJR 10, introduced by Neuman, Thayer, Conover, Lybeck, Boylan, Holliday, Schye, Van Valkenburg, Tveit, Keating, Pinsoneault. Referred to Committee on Agriculture.

MOTIONS

Representative D. Brown moved that Representative Harper's amendment to HB 184, second reading this day, be referred to the Committee on Rules. Motion failed. (44-50)

Representative Nathe moved that Schye and Cody be added as sponsors to HB 383. Motion carried.

Representative Keenan moved that SB 122 be taken from the Committee on Human Services and Aging and rereferred to the Committee on Appropriations. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

The Park Plaza Hotel will be hosting a legislator's cocktail party tonight from 6:00 to 8:00 p.m.

Representative Harper moved that the House adjourn until 12:30 p.m., February 8, 1985.

Motion carried.

House adjourned at 3:10 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

TWENTY-NINTH LEGISLATIVE DAY

Helena, Montana
February 8, 1985

House Chambers
State Capitol

House convened at 12:30 p.m., Mr. Speaker in the Chair. Invocation by Father Jim Reeves. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellison, Menahan, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twenty-eighth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/7/85

Correctly printed: HB 412, HB 440, HB 518, HB 609.

Considered correctly engrossed: HB 105, HB 259, HB 279, HB 299, HB 332.

Correctly engrossed: HB 232.

2/8/85

Correctly printed: HB 168, HB 339, HB 443.

Correctly engrossed: HB 122, HB 310, HB 323.

Signed by the Speaker at 10:30 p.m., 2/8/85: HB 6, HB 88, HB 137.

APPROPRIATIONS (Bardanoue, Chairman):

2/7/85

SJR 9, third reading copy, be amended as follows:

1. Page 1, line 25.

Following: "has"

Strike: "accepted"

Insert: "reviewed"

2. Page 2, line 2.

Strike: "the"

Insert: "his"

3. Page 3, line 7.

Following: "the"

Strike: "Governor's"

Insert: "council's"

4. Page 3, line 12.

Following: "SERVE"

Insert: "ALL"

5. Page 3, line 13.

Following: "STATE"

Strike: " "

Insert: "INCLUDING THE UNSERVED AND UNDERSERVED CITIZENS, AND"

6. Page 3, line 14.

Following: "EXPENDITURES FOR"

Insert: "NEW"

And, as amended, be concurred in. Report adopted.

BUSINESS AND LABOR (Pavlovich, Chairman):

2/7/85

HB 284, introduced bill, be amended as follows:

1. Page 6, line 20.

Strike: “(.0270)	(.0260)	(.0245)	(.0225)”
Insert: “(.0260)	(.0245)	(.0225)	(.0200)”

2. Page 8, line 18.

Strike: “(.0200)	(.0170)	(.0135)	(.0095)”
Insert: “(.0170)	(.0135)	(.0095)	(.0075)”

And, as amended, do pass. Report adopted.

HB 387, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 387

Title 18, chapter 2, part 4, MCA, requires that a standard prevailing wage be paid for labor on all public works contracts and that Montana labor receive a preference for employment on all public contracts. The commissioner is given the duty to determine the prevailing wage by locality and to otherwise administer part 4. In early 1983, Judge Bennett found in Townsend Electric, Inc. v. Hunter, et al., First Judicial District of Montana (No. 47160), that the commissioner's determinations as to prevailing wage did not have the force of law because the legislature had never granted the commissioner express rulemaking authority to implement part 4. This bill is introduced to remedy this situation.

HB 453, introduced bill, be amended as follows:

1. Page 5, line 14.

Following: “permit”

Strike: remainder of line 14 through “39-71-1002” on line 15

Following: “.”

Insert: “A worker shall be paid temporary total disability benefits during a reasonable period of retraining.”

2. Page 6, line 8.

Following: “and”

Insert: “temporary”

3. Page 6, line 9.

Following: “benefits”

Strike: “must”

Insert: “may”

4. Page 6, line 18.

Following: “paid”

Insert: “temporary”

5. Page 6, line 19.

Following: “benefits”

Strike: “until he is certified under 39-71-1002”

And, as amended, do pass. Report adopted.

HB 602, introduced bill, be amended as follows:

1. Page 2, line 4.

Following: “lithograph,”

Insert: “signed limited edition”

2. Page 2, line 5.

Following: "print,"

Strike: "textiles,"

3. Page 2, line 6.

Following: "calligraphy,"

Insert: "photographs, original works in ceramics, wood, metals, glass, plastic, wax, stone, or leather,"

4. Page 3, line 3.

Following: "Montana."

Insert: "This relationship must be defined in writing and renewed at least every 3 years by the art dealer and the artist. It is the responsibility of the artist to identify clearly the work of art by securely attaching identifying marking to or clearly signing the work of art."

5. Page 3, line 8.

Following: "art"

Insert: "while in the possession of or on the premises of the consignee"

6. Page 4, line 7.

Following: "provide"

Insert: ", upon request from the artist in writing upon consignment of the work,"

7. Page 4, line 8.

Following: "art"

Insert: "with purchase price of \$200 or more"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 391, do not pass.

HB 437, do not pass.

HB 648, do not pass.

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman):

2/8/85

Adverse Committee Report

HB 415, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Kohnke, Krueger, Lory, McCormick, Manuel, Marks, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Hara, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Schye, Simon, Smith, Swift, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 85

Noes: Ellerd, Keller, Mercer, Nelson, Patterson, Sales, Sands, Spaeth, Williams.

Total 9

Excused: Ellison, Menahan.

Total 2

Absent or not voting: Asay, Bergene, O'Connell, Switzer.
Total 4

HIGHWAYS AND TRANSPORTATION (Harp, Chairman): 2/7/85
HB 86, introduced bill, be amended as follows:

1. Title, line 5.

Following: "SIGNAL"

Insert: "WITH WILLFUL OR WANTON DISREGARD FOR THE
SAFETY OF PERSONS OR PROPERTY"

2. Page 1, line 20.

Following: "(c)"

Strike: "passes"

Insert: "operates any vehicle in willful or wanton disregard for the
safety of persons or property while passing"

3. Page 1, line 23.

Following: "described in"

Strike: "61-8-351(4)"

Insert: "61-8-351(5)"

4. Page 2, line 15.

Following: "proceed."

Insert: "(2)"

Renumber: subsequent subsections

5. Page 2, line 16.

Following: "vehicle"

Strike: "must"

Insert: "shall"

And, as amended, do pass. Report adopted.

HB 230, do pass. Report adopted.

HB 245, do pass. Report adopted.

HB 424, do pass. Report adopted.

LOCAL GOVERNMENT (Darko, Chairman): 2/7/85

HB 171, do pass. Report adopted.

HB 373, do pass. Report adopted.

HB 379, do pass. Report adopted.

HB 625, do pass. Report adopted.

Adverse Committee Report

HB 253, do not pass.

STATE ADMINISTRATION (Sales, Chairman): 2/7/85

HB 394, introduced bill, be amended as follows:

1. Title, line 7.

Following: "BOARDS"

Strike: "AND"

Insert: ";

2. Title.

Following: line 9

Insert: "AND TO PROVIDE PER DIEM COMPENSATION FOR
MEMBERS OF THE STATE LIBRARY COMMISSION;"

3. Title, line 11.

Following: "20-2-113,"

Insert: "22-1-101,"

4. Page 7.

Following: line 19

Insert: "Section 7. Section 22-1-101, MCA, is amended to read:

"22-1-101. State library commission established. (1) There is a state library commission.

(2) This commission is composed of the following members:

(a) the state superintendent of public instruction or his designee;

(b) five persons appointed by the governor, who shall serve staggered terms of 3 years; and

(c) a librarian appointed by the commissioner of higher education from one of the six units of the Montana university system, who shall serve a term of 3 years.

(3) The commission shall annually elect a chairman from its membership.

(4) The members of said commission shall be compensated and receive no compensation for their services except their travel expenses; as provided for in ~~2-18-501 through 2-18-503~~ 2-15-124."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 463, do pass. Report adopted.

HB 464, introduced bill, be amended as follows:

1. Title, line 6.

Following: "WITH"

Strike: " " through "J"

Insert: "HOUSE BILL NO. 463"

2. Page 2.

Following: line 22

Strike: " " through "J"

Insert: "HOUSE BILL NO. 463"

And, as amended, do pass. Report adopted.

HB 488, introduced bill, be amended as follows:

1. Page 2, line 20.

Following: "governor"

Insert: "or his designee"

2. Page 3, line 6.

Strike: "shall"

Insert: "may"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 398, do not pass.

Committee attached the following statement of intent:

Statement of Intent
HB 398

A statement of intent is required for this bill because it grants rule-making authority to the department of administration for the purpose of establishing certification standards for building code inspectors.

It is contemplated that the department's rules should address the following:

(1) types of suitable educational training programs which may be required to be successfully completed, such as classroom instruction, seminars, examinations, home study, or a combination thereof;

(2) standards for determining programs to be approved for fulfillment of the requirements, such as adequacy of facilities, qualifications of instructors, and course content;

(3) the number of hours of instruction required, if any; and

(4) the basic content of the procedures and passing grade for any examinations required.

It is contemplated that the department may adopt by reference the standards adopted by the international conference of building officials. However, any changes in the ICBO standards must be included in the department's rules, by amendment, if the department considers the changes appropriate.

HJR 14, do not pass.

TAXATION (Devlin, Chairman):

2/7/85

HB 339, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Senate bills passed and transmitted to the House for concurrence: 2/7/85

SB 160, introduced by Fuller, J. Brown

SB 175, introduced by Blaylock

SB 236, introduced by Conover, et al.

SJR 12, introduced by Severson, et al.

MOTIONS

Representative Quilici moved that Bachini, Jones, Gilbert, Brandewie, Hanson, Williams, Winslow, Koehnke, Bengtson, and Sands be added as sponsors to HB 607. Motion carried.

Representative Bardanouve moved that HB 508, Representative Hand's bill, be taken from the Committee on State Administration and rereferred to the Appropriation Subcommittee on Long-Range Planning. Motion carried.

Representative Winslow moved that Schye and Neuman be added as sponsors to HB 677. Motion carried.

Representative Bradley moved that consideration of HB 333 be passed for the day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 716, introduced by Thoft. Referred to Committee on Agriculture.

HB 717, introduced by Waldron. Referred to Committee on Judiciary.

HB 718, introduced by Addy, Donaldson, Harper, Marks. Referred to Committee on Business and Labor.

HB 719, introduced by Schye, (By Request of the Department of Commerce). Referred to Committee on Taxation.

- HB 720**, introduced by J. Brown, Miles, Cohen, Hansen, Connelly, Eck, Kadas, Ream, Pistoria, Fuller, Harrington, Fritz, Addy, Keenan, Bradley, Lory, (By Request of the Office of the Governor). Referred to Committee on Human Services and Aging.
- HB 721**, introduced by Cobb, (By Request of the Secretary of State). Referred to Committee on State Administration.
- HB 722**, introduced by Nisbet, Miller, Hansen, Lory, J.K. Moore, Ream, Christiaens, O'Hara, McCormick, Eudaily, Fritz, Kadas, O'Connell, Manning. Referred to Committee on Judiciary.
- HB 723**, introduced by Hanson, Ernst, Campbell, Ellison, Devlin, Cobb, Grady, Patterson. Referred to Committee on Fish and Game.
- HB 724**, introduced by Keyser, Devlin, Switzer, Spaeth, Ernst, Ellison, Nathe, Schultz, Manuel, Koehnke. Referred to Committee on State Administration.
- HB 725**, introduced by Bardanouve, Bradley, Bergene. Referred to Committee on State Administration.
- HB 726**, introduced by Gould. Referred to Committee on Judiciary.
- HB 727**, introduced by Hansen, Ream, Miles. Referred to Committee on Local Government.
- HB 728**, introduced by Fritz, Darko, Harbin, Raney, Cody, Hart, Eck, Peck, McCormick, Nisbet, Bardanouve, Zabrocki, Kadas, Miles, Cohen, Addy, Harper, Montayne, Fuller, Schye, Kennerly, Howe, J. Hammond, M. Williams, Driscoll, Vincent, Manning, Christiaens, Koehnke, Bachini, O'Connell, Hansen, Regan, Mohar, Lory, Eudaily, Ream, Gilbert, (By Request of the Public Service Commission). Referred to Committee on Business and Labor.
- HB 729**, introduced by Schultz, Ernst, B. Williams, Patterson, Simon, (By Request of the Department of Institutions). Referred to Committee on Human Services and Aging.
- HB 730**, introduced by Cohen, Story, Fuller, Driscoll, Ream, Bachini, Connelly, Zabrocki, Garcia, Miles, Menahan, Krueger, Eck, Wallin, Kadas, Keenan, Montayne, Peck, Fritz, Asay, Darko, Addy, Manning, Schultz, J. Hammond, Christiaens, D. Brown, J. Brown, Koehnke, Harrington, Cobb, Bradley, Sands, Jacobson, Schye, Hart, Gilbert, Quilici. Referred to Committee on Human Services and Aging.
- HB 731**, introduced by Harrington, Keenan, Menahan, McCormick, Kadas, Schye, Garcia, Harbin, Darko, Ream, Quilici, O'Connell, Pistoria, J. Hammond, Christiaens, Eck, Koehnke, Jacobson, Lynch, Haffey, Stimatz, Towe, Mazurek, Cohen. Referred to Committee on Human Services and Aging.
- HB 732**, introduced by Cohen, Harp, Brandewie, Mercer, Connelly, Harbin, Lybeck, Pinsoneault, B. Brown, Harding, C. Smith, Jones, Nelson, (By Request of the Flathead Basin Commission). Referred to Committee on State Administration.
- HB 733**, introduced by Hansen, Fritz, J. Brown, Kadas, Hand, Connelly, Miles, Waldron, Spaeth, Vincent. Referred to Committee on Human Services and Aging.
- HB 734**, introduced by Grady, Cobb, Thoft, Jenkins, Harper, Ellison, E. Smith, Asay, Spaeth, Howe, Conover, Thayer, Hanson, J. Brown, Boylan, Lane, Tveit, Mazurek, Farrell, Severson, Campbell, Rapp-Svreck, Hirsch, Koehnke, Mohar, C. Smith, Jones, Compton. Referred to Committee on Fish and Game.
- HJR 22**, introduced by Raney, Harbin, Asay, O'Hara, Ream, J. Moore, Harper, Fritz, Nathe, Miles, Addy, Ellison, Kitselman, Rehberg, Brandewie, Christiaens, Mohar, Zabrocki, Harp, Cohen, Keenan, Blaylock, Bardanouve, Van Valkenburg, Bradley, Darko, D. Brown, Cody, Severson, Patterson, Gould, Iverson, Mazurek, Gilbert, Schye,

Conover, Gage, Stephens, Krueger, Spaeth. Referred to Committee on Human Services and Aging.

HJR 23, introduced by Hansen, Waldron, Addy, Harper, J. Moore, Quilici, J. Brown, Vincent, Spaeth, Howe, Fritz, Manuel, Darko, Zabrocki, Abrams, Pavlovich, Driscoll, Montayne, Hart, Rapp-Svrcek, Cohen, Miles, Krueger, D. Brown, Nisbet, Cody, Schye, Poff, Menahan, Raney, Harbin. Referred to Committee on Human Services and Aging.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Simon in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Menahan present at this time.

HB 184 - Representative Schye moved that HB 184, second reading copy, be amended as follows:

1. Page 1, line 12.

Following: "~~must~~"

Strike: "but"

Insert: "except that prizes must be paid in tangible personal property if the game is played on a player-operated electronic video game machine. They"

Amending Representative Harper's amendment to HB 184, second reading on 28th legislative day.

2. Page 1.

Following: line 17

Strike: section 2 in its entirety

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Ellison.

Total 1

Absent or not voting: Jones, Switzer.

Total 2

That HB 184, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 85

Noes: Brandewie, Ellerd, Gilbert, Glaser, Hannah, Hayne, Kitselman, Mercer, Nelson, O'Hara, Patterson, Peck, Wallin.

Total 13

Excused: Ellison.

Total 1

Absent or not voting: Jones.

Total 1

HB 335 - That HB 335 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Ellison.

Total 1

Absent or not voting: Smith.

Total 1

HB 340 - That HB 340 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon,

Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Hansen.

Total 1

Excused: Ellison.

Total 1

Absent or not voting: Donaldson, Pavlovich.

Total 2

HB 351 - That HB 351 do pass. Motion failed as follows:

Ayes: Asay, Brandewie, J. Brown, Campbell, Cody, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hanson, Harbin, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, McCormick, Manuel, Marks, Montayne, Nelson, O'Hara, Patterson, Pavlovich, Peck, Peterson, Sales, Schultz, Simon, Swift, Switzer, Thomas, Wallin, Winslow.

Total 48

Noes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, Cobb, Cohen, Connelly, Glaser, Hammond, Hand, Hannah, Hansen, Harp, Harper, Hart, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schye, Smith, Spaeth, Thoft, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 51

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

That HB 351 do not pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, Cobb, Cody, Cohen, Connelly, Darko, Driscoll, Ellerd, Fritz, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Harp, Harper, Hart, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nisbet, O'Connell, Patterson, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Smith, Spaeth, Thoft, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 60

Noes: Asay, J. Brown, Campbell, Compton, Devlin, Donaldson, Ernst, Eudaily, Garcia, Gilbert, Gould, Hanson, Harbin, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, McCormick, Manuel, Marks, Montayne, Nathe, Nelson, O'Hara, Pavlovich, Peterson, Sales, Simon, Swift, Switzer, Thomas, Wallin, Winslow.

Total 39

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

HB 352 - That HB 352 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Spaeth.

Total 1

Excused: Ellison.

Total 1

Absent or not voting: Kadas, Peterson.

Total 2

HB 359 - That HB 359 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: Cobb, Gilbert, Glaser, Hannah, Kitselman, Sales, Swift.

Total 7

Excused: Ellison.

Total 1

Absent or not voting: Pavlovich.

Total 1

Representative Keyser excused at this time.

HB 372 - That HB 372 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands,

Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Ellison, Keyser.
Total 2

Absent or not voting: None.
Total 0

HB 378 - That HB 378 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Harper, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, Manuel, Marks, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 81

Noes: D. Brown, Connelly, Driscoll, Garcia, Hammond, Hansen, Harrington, Hart, Krueger, McCormick, Menahan, Montayne, Raney, Ream, Spaeth.
Total 15

Excused: Ellison, Keyser.
Total 2

Absent or not voting: Ellerd, Kennerly.
Total 2

HB 428 - That HB 428 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Ellison, Keyser.
Total 2

Absent or not voting: Nathe, O'Connell, Sands, Schultz.
Total 4

HB 446 - That HB 446 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Ellison, Keyser.

Total 2

Absent or not voting: Asay, Nathe, Schultz.

Total 3

HB 447 - Representative J. Brown moved that HB 447 do pass. Representative Addy made a substitute motion that consideration of HB 447 be passed for the day. Motion carried. (71-25)

HB 462 - That HB 462 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thomas, Waldron, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 93

Noes: Bardanouve, Hannah, Ramirez, Thoft, Winslow.

Total 5

Excused: Ellison, Keyser.

Total 2

Absent or not voting: None.

Total 0

Representative Ellison present at this time.

HB 469 - That HB 469 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks,

Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: J.K. Moore, Ramirez.

Total 2

Excused: Keyser.

Total 1

Absent or not voting: None.

Total 0

HB 582 - Representative Pistoria moved that HB 582, second reading copy, be amended as follows:

1. Page 1, line 12.

Strike: "22"

Insert: "25"

Amendment passed as follows:

Ayes: Abrams, Addy, Bachini, Bergene, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Rapp-Svrcek, Ream, Schye, Simon, Smith, Spaeth, Switzer, Thoft, Wallin, Williams, Zabrocki.

Total 72

Noes: Asay, Bardanouve, Bradley, Cobb, Ellerd, Ellison, Ernst, Hannah, Hansen, Hanson, Harbin, Menahan, Miller, Nelson, Peck, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Swift, Thomas, Waldron, Winslow, Mr. Speaker.

Total 26

Excused: Keyser.

Total 1

Absent or not voting: Kadas.

Total 1

That HB 582, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Rapp-Svrcek, Ream, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: Hannah, Harbin, Harper, J. Moore, Phillips, Ramirez, Raney, Rehberg, Spaeth.
Total 9

Excused: Keyser.
Total 1

Absent or not voting: Marks.
Total 1

Representative Keyser present at this time.

Representative Waldron excused at this time.

HB 183 - That HB 183 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bergene, Bradley, Cody, Cohen, Connelly, Darko, Donaldson, Ellerd, Eudaily, Gilbert, Glaser, Hammond, Hannah, Hansen, Harbin, Harper, Harrington, Hayne, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Marks, Menahan, Mercer, Miles, J. Moore, Nelson, O'Hara, Peck, Peterson, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Spaeth, Thomas, Waldron, Wallin, Winslow, Mr. Speaker.
Total 53

Noes: Abrams, Asay, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Devlin, Driscoll, Ellison, Ernst, Fritz, Garcia, Gould, Grady, Hand, Hanson, Harp, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Kennerly, Keyser, Krueger, Manuel, Miller, Montayne, J.K. Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Sales, Smith, Swift, Switzer, Thoft, Williams, Zabrocki.
Total 47

Paired: Waldron, Aye; D. Brown, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 236 - Representative Pavlovich moved that consideration of HB 236 be passed for the day. Motion carried.

HB 358 - Representative Peck moved that HB 358, second reading copy, be amended as follows:

1. Page 5, line 4.
Following: "shall"
Strike: "establish a system for contacting"
Insert: "attempt to contact"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg,

Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Hannah.

Total 1

Excused: Waldron.

Total 1

Absent or not voting: Nathe.

Total 1

Representative Waldron present at this time.

That HB 358, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Bardanouve, Kennerly, Miller.

Total 3

HB 412 - That HB 412 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Harrington, Kennerly, Quilici.

Total 3

HB 440 - That HB 440 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Garcia.

Total 1

Excused: None.

Total 0

Absent or not voting: Harrington, Kennerly.

Total 2

HB 518 - That HB 518 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Sales.

Total 1

Excused: None.

Total 0

Absent or not voting: Harp, Harrington.

Total 2

HB 560 - That HB 560 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips,

Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Brandewie, Campbell, Hannah, Koehnke, Nelson.

Total 5

Excused: None.

Total 0

Absent or not voting: Driscoll, Hansen, Harrington.

Total 3

HB 609 - That HB 609 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Bardanouve, Harrington, Hart.

Total 3

HJR 20 - That HJR 20 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Harrington.

Total 1

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Simon moved the adoption of the committee report. Report adopted. (95-2)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 105 passed as follows:

Ayes: Abrams, Addy, Asay, Bergene, Brandewie, D. Brown, Cobb, Compton, Devlin, Ellerd, Ernst, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Harp, Hayne, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, McCormick, Manuel, Marks, Menahan, Mercer, Miller, J.K. Moore, Nelson, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki.

Total 54

Noes: Bachini, Bardanouve, Bradley, J. Brown, Campbell, Cody, Cohen, Connelly, Darko, Donaldson, Driscoll, Eudaily, Garcia, Hand, Hansen, Hanson, Harbin, Harper, Hart, Holliday, Howe, Iverson, Kadas, Keenan, Kennerly, Krueger, Lory, Miles, Montayne, J. Moore, Nathe, Nisbet, O'Connell, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Smith, Spaeth, Waldron, Williams, Mr. Speaker.

Total 44

Excused: None.

Total 0

Absent or not voting: Ellison, Harrington.

Total 2

HB 232 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Harrington.

Total 1

HB 259 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connolly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Keyser, Switzer.

Total 2

Excused: None.

Total 0

Absent or not voting: Harrington.

Total 1

HB 279 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connolly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Hannah, Peck.

Total 2

Excused: None.

Total 0

Absent or not voting: Harrington.

Total 1

HB 299 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connolly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Campbell, Hayne, Jenkins, Manuel, Pistoria, Switzer.

Total 6

Excused: None.

Total 0

Absent or not voting: Harrington.

Total 1

HB 332 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: D. Brown, Driscoll, Jones, Montayne, Sales.

Total 5

Excused: None.

Total 0

Absent or not voting: Harrington.

Total 1

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/8/85
Delivered to the Governor for his approval at 2:15 p.m., 2/8/85: HB 6, HB 88, HB 137.

JUDICIARY (Hannah, Chairman): 2/8/85
HB 353, do pass. Report adopted.
HB 444, do pass. Report adopted.
HB 467, do pass. Report adopted.
HB 532, do pass. Report adopted.
HB 547, do pass. Report adopted.
HB 667, do pass. Report adopted.

Adverse Committee Report
HB 664, do not pass.

TAXATION (Devlin, Chairman): 2/8/85
HB 33, introduced bill, be amended as follows:

1. Title, line 7.
Following: "FUEL;"
Insert: "EXPANDING THE EXEMPTION FROM THE ANNUAL FEE;"
2. Title, line 9.
Following: "SECTIONS"
Insert: "15-70-302,"

3. Title, line 10.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE FOR CERTAIN SECTIONS"

4. Page 1, line 13.

Following: the enacting clause

Insert: "Section 1. Section 15-70-302, MCA, is amended to read:

"15-70-302. Special fuel dealer's licenses and special fuel user's permits required — exceptions. (1) It shall be unlawful for any person to act as a special fuel dealer in this state unless such person is the holder of an uncanceled fuel dealer's license issued to him by the department.

(2) Every special fuel user shall obtain annually from the department, prior to the use of such special fuel for the propulsion of a motor vehicle or vehicles in this state, a special fuel user's permit and shall at all times display the original or a reproduced copy of the permit in each such vehicle or vehicles operated by him upon the highways as herein defined which shall be exhibited for inspection on request of any checking station officer, Montana highway patrol officer, authorized employee of the department, or any other law enforcement officer. The special fuel user shall be responsible for reproducing clear and legible copies of the permit.

(3) A special fuel user's permit is not required of any person whose sole use of special fuel is for the propulsion of a privately operated passenger automobile provided the person purchases special fuel, tax paid, from a licensed special fuel dealer in this state. For purposes of this exemption, a privately operated passenger vehicle does not include a motor vehicle used for the transportation of persons for hire or for compensation or designed, used, or maintained primarily for transportation of property.

(4) Any out-of-state user who operates a special fuel or an alternate fuel vehicle solely for recreation or for religious, charitable, educational, or other eleemosynary purposes shall secure a special or alternate fuel user's courtesy vehicle permit. The permit shall not be transferable and shall be valid for 90 days. Permits will be issued at no cost to the user by the department, scale house personnel, and gross vehicle weight patrol crews. The department may require the user who has fuel capacity in excess of 30 gallons to file a report and pay the tax on fuel used in Montana on which the tax has not been paid."

Renumber: subsequent sections

5. Page 1, line 23.

Following: "~~annually~~"

Insert: "which license tax fee is prorated on a quarterly basis and may be paid quarterly, semiannually, or annually,"

6. Page 3.

Following: line 23

Insert: "NEW SECTION. Section 6. Effective date. Section 4 and this section are effective on passage and approval, but no rules promulgated under section 4 may be made effective before October 1, 1985."

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 307, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Asay, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Devlin, Donaldson, Ellison, Ernst, Fritz, Garcia, Gilbert, Glaser, Gould, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Mercer, Miles, Miller, J. Moore, Nelson, O'Hara, Patterson, Peck, Peterson, Phillips, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 74

Noes: Addy, Bachini, Campbell, Driscoll, Ellerd, Eudaily, Harp, Harper, Kadas, Menahan, Montayne, J.K. Moore, Nathe, Nisbet, O'Connell, Pavlovich, Quilici, Thomas.
Total 18

Excused: None.
Total 0

Absent or not voting: Cobb, Darko, Grady, Harrington, Jones, McCormick, Pistoria, Switzer.
Total 8

MOTIONS

Representative Schultz moved that the House reconsider its action in failing to pass HB 351, second reading this day, in order to amend the bill. Motion carried.

Representative Pavlovich moved that consideration of HB 236, second reading, be passed until the 33rd legislative day. Motion carried.

Representative J. Brown moved that HB 447 be taken from second reading and referred to the Committee on Judiciary. Motion carried.

Representative Donaldson moved that Eudaily, Brandewie, Grady, J. Hammond, Schye, J.K. Moore, Miles, and Harper be added as sponsors to HB 18. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 8:30 a.m., February 9, 1985.

Motion carried.

House adjourned at 3:15 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

THIRTIETH LEGISLATIVE DAY

Helena, Montana
February 9, 1985

House Chambers
State Capitol

House convened at 8:30 a.m., Mr. Speaker in the Chair. Invocation by Representative Harper. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellerd, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twenty-ninth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/8/85

Correctly printed: HB 86, HB 171, HB 230, HB 245, HB 284, HB 353, HB 373, HB 379, HB 387, HB 394, HB 424, HB 444, HB 463, HB 464, HB 467, HB 488, HB 532, HB 547, HB 602, HB 625, HB 667.

Considered correctly engrossed: HB 183, HB 352, HB 372, HB 378, HB 446, HB 469, HB 560, HJR 20.

Correctly engrossed: HB 184.

2/9/85

Correctly printed: HB 33, HB 186, HB 453, HB 531, HB 681.

Considered correctly engrossed: HB 335, HB 340, HB 359, HB 412, HB 428, HB 440, HB 462, HB 518, HB 609.

Correctly engrossed: HB 358, HB 582.

BUSINESS AND LABOR (Pavlovich, Chairman):

2/8/85

HB 460, introduced bill, be amended as follows:

1. Title, line 8.

Following: "AUTHORITY"

Strike: remainder of line 8 through "FUND;" on line 10

2. Title, line 10.

Following: "SECTIONS"

Strike: "31-1-221,"

3. Title, line 11.

Following: line 10

Strike: "32-1-215, 32-2-102,"

Following: "32-2-110,"

Strike: "32-3-201, 32-5-201,"

4. Page 2, line 1.

Following: "~~fund~~"

Strike: remainder of line 1 through "function" on line 2

Insert: "the general fund"

5. Page 2, line 8.

Following: "~~fund~~"

Strike: remainder of line 8 through "function" on line 10

Insert: "the general fund"

6. Page 2, line 11 through page 3, line 5.

Strike: sections 2 and 3 in their entirety

Renumber: subsequent sections

7. Page 3, line 8.

Following: "~~the general fund of~~"

Insert: "the general fund of"

8. Page 3, line 9.

Following: "state"

Strike: remainder of line 9 through "function" on line 10

9. Page 4, line 8 through page 6, line 20.

Strike: sections 5 and 6 in their entirety

Renumber: subsequent sections

10. Page 7, line 14 through page 9, line 4.

Strike: section 8 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 460

A statement of intent is required for this bill because it authorizes the department of commerce to adopt rules establishing fees for the examination of building and loan associations and consumer loan businesses. The bill also authorizes the department to establish fees for the examination of other financial institutions. It is the intent of the legislature that fees established under this bill be set to recover the costs of the program implemented.

HB 468, do pass. Report adopted.

HB 639, introduced bill, be amended as follows:

1. Title, line 8.

Following: "RENEWAL;"

Strike: remainder of line 8 through "EVIDENCE" on line 12

2. Title, line 13.

Following: "37-62-204, MCA;"

Strike: "REPEALING SECTION 37-62-302, MCA;"

3. Page 5, line 9 through page 6, line 18.

Strike: sections 6 through 9 in their entirety

4. Page 6, line 19.

Following: line 18

Insert: "NEW SECTION. Section 6. Extension of authority. Any existing authority of the department of of commerce to make rules on the subject of the provisions of this act is extended to the provisions of this act."

Renumber: subsequent sections

5. Page 6, line 20.

Following: "4"

Strike: "through 8"

Insert: "and 5"

6. Page 6, line 22.

Following: "4"

Strike: "through 8"

Insert: "and 5"

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 639

The proposed legislation provides a new license to be issued by the department of commerce concerning polygraph interns.

The proposals give the department (there is no "board of polygraph operators") authority to write rules concerning the application and fee to be established for an intern license and for reporting content and procedures regarding intern training. (See section 3 of the bill.) The rules should be aimed at assuring that the intern is adequately supervised and is given the instruction necessary to achieve licensure.

In accordance with the statement of intent made by the 1983 legislature, no additional rulemaking powers are herein granted to the department pursuant to Title 37, chapter 1.

JUDICIARY (Hannah, Chairman):

2/8/85

HB 186, second reading copy, be amended as follows:

1. Page 2, line 14.
Following: "NOTICE"
Insert: ", in writing,"

And, as amended, do pass. Report adopted.

HB 531, introduced bill, be amended as follows:

1. Page 3, line 19.
Strike: "license"
Insert: "licensee"

And, as amended, do pass. Report adopted.

HB 681, introduced bill, be amended as follows:

1. Title, line 6.
Strike: "OR TO THE NEWS MEDIA"
2. Page 3, line 6.
Strike: ".,"
Insert: ".,"
3. Page 3, lines 7 through 9.
Strike: subsection (i) in its entirety

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 413, introduced bill, be amended as follows:

1. Title, line 4.
Following: "REMOVING"
Strike: "COLLECTIVE" through "AND" on line 5
Insert: "CERTAIN"

2. Page 2.

Following: line 4

Insert: "(3) However, a meeting may be closed to discuss a strategy to be followed with respect to collective bargaining or litigation when an open meeting would have a detrimental effect on the bargaining or litigating position of the public agency. For the purposes of this subsection, "litigation" means a civil action in which a complaint has

been filed or a criminal proceeding in which a complaint or information has been filed or an indictment has been found.”

Renumber: subsequent subsection

And, as amended, do not pass.

HB 502, introduced bill, be amended as follows:

1. Title, line 7.

Following: “YEARS;”

Insert: “LIMITING THE INFORMATION THAT MAY BE DISCLOSED IN SUCH LISTS;”

2. Page 2, line 24.

Following: “law.”

Insert: “Any division response to such request may include only the names, addresses, and birth dates of such males and may not include social security numbers.”

And, as amended, do not pass.

NATURAL RESOURCES (Iverson, Chairman):

2/8/85

HB 633, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

2/8/85

HB 256, introduced bill, be amended as follows:

1. Page 3, lines 5 and 6.

Strike: “with” on line 5 through “received” on line 6

And, as amended, do pass. Report adopted.

HB 401, do pass. Report adopted.

HB 482, introduced bill, be amended as follows:

1. Title, line 13.

Following: “ACT;”

Strike: “AND”

2. Title, line 15.

Following: “13-13-222,”

Strike: “AND”

Following: “13-13-232”

Strike: “THROUGH”

Insert: “, AND”

3. Title, line 16.

Following: “MCA”

Insert: “; AND PROVIDING AN EFFECTIVE DATE”

4. Page 5, line 12.

Following: “and”

Insert: “a copy of the”

Following: “registration card”

Insert: “to be provided by the election administrator”

5. Page 7, line 22 through line 19, page 8.

Strike: section 9 in its entirety

Renumber: subsequent sections

6. Page 9, line 24.

Following: “candidate”

Strike: “whose”

Insert: "or of a candidate's spouse or the spouse of any one of these if the candidate's"

7. Page 10, line 12.

Following: "Before"

Strike: "the polls open"

Insert: "assuming any of his responsibilities under [this act]"

8. Page 12, line 6.

Strike: "11"

Insert: "10"

Strike: "15"

Insert: "14"

9. Page 12, line 11.

Strike: "11"

Insert: "10"

Strike: "15"

Insert: "14"

10. Page 12, line 13.

Strike: "11"

Insert: "10"

Strike: "16"

Insert: "15"

11. Page 12, line 15.

Strike: "11"

Insert: "10"

Strike: "16"

Insert: "15"

12. Page 12.

Following: line 15

Insert: "NEW SECTION. Section 17. Effective date. This act is effective July 1, 1985."

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 327, do not pass.

HB 535, do not pass.

Committee attached the following statement of intent:

Statement of Intent

HB 535

A statement of intent is required for this bill because section 5 grants the secretary of state the authority to adopt rules establishing fees for the participation of candidates in the voter information pamphlet. Rules are to be adopted under the Montana Administrative Procedure Act. The rules must be consistent with the requirements of section 5 regarding uniformity for all candidates and fees being reasonably related to costs.

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

February 8, 1985

Dear Mr. Speaker:

Please be informed that I have signed House bills 10, 28, 31, and 124 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

February 8, 1985

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 107, "AN ACT REVISING THE LAWS GOVERNING THE PRACTICE OF ELECTROLOGY; REQUIRING ELECTROLOGY SCHOOLS AND TEACHERS TO BE LICENSED; GRANTING THE BOARD OF COSMETOLOGISTS AUTHORITY TO ADOPT RULES REGULATING SCHOOLS AND LICENSEES AND TO ADOPT SANITARY STANDARDS; AMENDING SECTIONS 37-32-201, 37-32-301, AND 37-32-304, MCA; AND PROVIDING EFFECTIVE DATES," without my signature and recommend the attached amendments for the following reasons.

Under current law, the Board of Cosmetologists has licensing authority over electrologists and electrology salons. House Bill 107 would extend that authority to include electrology schools and teachers. The bill would also clarify that the Board's authority includes regulation over the conduct of licensees and sanitary conditions in salons.

Section 1 of the bill amends the Board's rulemaking authority to list the subjects that the Board's rules may address. Section 6 extends the Department of Commerce's existing rulemaking authority to include the subjects covered in H.B. 107.

Section 8 provides that Section 1 is effective upon passage and approval. The purpose of Section 8 is to allow the Board to adopt rules implementing H.B. 107 before the licensing provisions of H.B. 107 become effective. In this manner, both the licensing provisions and the rules implementing those provisions may become effective on October 1, 1985.

Unfortunately, Section 8 does not provide an immediate effective date for itself. For this reason, Section 8 does not become effective until October 1 and consequently cannot make Section 1 effective immediately. I am proposing an amendment to make Section 8 effective on passage and approval.

Section 8 should also provide that Section 6, the extension of the Department of Commerce's rulemaking authority, which allows the Department to adopt rules to implement H.B. 107, is effective on passage and approval. My proposed amendments also make this change.

I urge your concurrence in these amendments.

Governor's Proposed Amendments
to HB 107

Following: "(1)"

Strike: "Section 1 is"

Insert: "Sections 1 and 6 and this section are"

2. Page 5, line 14.

Following: "to"

Strike: "section 1"

Insert: "sections 1 and 6"

Sincerely,

Ted Schwinden
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 735, introduced by Spaeth, Addy, M. Williams, (By Request of the Office of Budget and Program Planning). Referred to Committee on Taxation.

HB 736, introduced by Lory. Referred to Committee on Local Government.

HB 737, introduced by Bergene, Spaeth, Keenan, Kadas, Phillips, Miles, Fritz, Nathe, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Human Services and Aging.

HB 738, introduced by Addy, Keyser. Referred to Committee on Judiciary.

HB 739, introduced by Iverson, Holliday, Galt. Referred to Committee on State Administration.

HB 740, introduced by Grady, Boylan, Hanson, Lybeck, Rapp-Svrcek, Manuel, Koehnke, Cohen, Donaldson, Lane, Gage, E. Smith. Referred to Committee on Appropriations.

HB 741, introduced by Peck, Bachini, Jenkins, Compton. Referred to Committee on Appropriations.

HB 742, introduced by Sands, Vincent. Referred to Committee on Judiciary.

HB 743, introduced by Miller, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Human Services and Aging.

HB 744, introduced by Spaeth, Abrams, Lory, Nathe, Shaw, Weeding, Gage, (By Request of the Department of State Lands). Referred to Committee on Judiciary.

HB 745, introduced by Sands, Vincent, Eudaily, Kadas, Gilbert. Referred to Committee on Taxation.

HB 746, introduced by O'Connell. Referred to Committee on Local Government.

HB 747, introduced by Phillips, Christiaens, J.K. Moore, Miller, Patterson. Referred to Committee on State Administration.

HB 748, introduced by Kitselman, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Human Services and Aging.

HB 749, introduced by Menahan, Keenan, Campbell. Referred to Committee on Highways.

HB 750, introduced by Bardanouve, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.

HB 751, introduced by Spaeth. Referred to Committee on Fish and Game.

HB 752, introduced by Nisbet, Pistoria, Manning, Bergene. Referred to Committee on Taxation.

HB 753, introduced by Brandewie, Grady, Ellison, Marks, Harper, Harp. Referred to Committee on Fish and Game.

HB 754, introduced by Fritz, J.K. Moore, O'Connell, Peck, Garcia, Bachini, Zabrocki, O'Hara, McCormick, Pistoria, Manning, Phillips, Driscoll, C. Smith, Jones, Harrington, D. Brown, Bradley, Harbin, Harp, Cody, Nisbet, Miles, Harper, Gould, Hansen, Vincent, Nelson, Keyser, Peterson, Manuel, Schye, Montayne, Eck, Thomas. Referred to Committee on State Administration.

HB 755, introduced by D. Brown, Iverson, O'Hara, Krueger, Quilici, Hannah, Pavlovich, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.

HB 756, introduced by Menahan, Driscoll, Harrington, Thoft, Garcia, Keenan, Peck, Pistoria, Montayne. Referred to Committee on Education and Cultural Resources.

HB 757, introduced by Hansen. Referred to Committee on Human Services and Aging.

HB 758, introduced by Winslow. Referred to Committee on Human Services and Aging.

HB 759, introduced by Lory, Quilici, Connelly, Gage, Keating, Stimatz, (By Request of the Insurance Department of the State Auditor's Office). Referred to Committee on Business and Labor.

HB 760, introduced by Nathe, Mercer, Cobb, Thomas, Campbell. Referred to Committee on Judiciary.

The following Senate bill was introduced, read first time, and referred to committee:

SJR 12, introduced by Severson, Lane, B. Brown. Referred to Committee on Natural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Addy in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 101 - That HB 101 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hayne, Holliday, Howe, Iverson, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Thoft, Wallin, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Cody, Compton, Devlin, Gilbert, Hart, Jenkins, Jones, Keyser, Manuel, Poff, Sales, Sands, Swift, Thomas, Waldron, Zabrocki.

Total 16

Excused: Ellerd.

Total 1

Absent or not voting: None.

Total 0

HB 333 - Representative Mercer moved that HB 333, second reading copy, be amended. Representative Spaeth made a substitute motion that HB 333 be placed below HB 230. Motion carried.

HB 351 - Representative Schultz moved that HB 351, second reading copy, be amended as follows:

1. Title, line 8.

Strike: "DEFINING" through "ACTUARY;" on line 9

2. Title, line 10.

Strike: "SECTIONS"

Insert: "SECTION"

Strike: "19-3-305, AND 19-4-203,"

3. Page 2, line 2 through line 23, page 3.

Strike: sections 2 and 3 in their entirety

Renumber: subsequent section

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Ellerd.

Total 1

Absent or not voting: None.

Total 0

That HB 351, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe,

Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Ellerd.

Total 1

Absent or not voting: None.

Total 0

HB 86 - That HB 86 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Thomas.

Total 1

Excused: Ellerd.

Total 1

Absent or not voting: Campbell, Manuel.

Total 2

HB 168 - That HB 168 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Campbell, Connelly, Jones, Nelson, Smith, Wallin.

Total 6

Excused: Ellerd.

Total 1

Absent or not voting: None.

Total 0

HB 171 - That HB 171 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: D. Brown, Garcia, Hansen, Nathe, Pistoria.

Total 5

Excused: Ellerd.

Total 1

Absent or not voting: Pavlovich.

Total 1

Committee of the Whole stood at ease.

SPECIAL ORDERS OF THE DAY

In honor of the 75th anniversary of the Boy Scouts of America, the Sergeant-at-arms escorted John Harrison, Associate Justice of the Montana Supreme Court, and a group of Eagle Scouts from all over Montana to the well of the House. They were honored with a standing ovation.

A very small Cub Scout, barely visible from the rostrum, delivered the following proclamation:

Ladies and Gentlemen,

In 1910, a small group of men founded the Boy Scouts of America. In the 75 years following, over 70 million young men and women have participated in Scouting's tradition of citizenship, physical and mental fitness, and personal development.

This year, in Montana, over 12,000 young people will be a part of Scouting. We appreciate the leadership of 4,000 adults, representing the spirit of Montana and our country.

We are proud of the sacrifice and energy given to us as Scouts, and look forward to the day we take our place as leaders.

The Eagle Scouts were escorted from the chamber by the Sergeant-at-arms.

Committee of the Whole resumed.

HB 230 - That HB 230 do pass. Motion carried as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand,

Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 86

Noes: Addy, Cody, Cohen, Connelly, Keenan, Menahan, Nisbet, Rapp-Svrcek, Schye.

Total 9

Excused: Ellerd.

Total 1

Absent or not voting: Eudaily, Hammond, Marks, Pavlovich.

Total 4

HB 333 - Representative Mercer moved that HB 333, second reading copy, be amended as follows:

1. Title, line 5.

Following: "JUDGE"

Insert: ", WITH APPROVAL OF THE COUNTY COMMISSIONERS,"

2. Page 1, lines 22 through 25.

Following: "may" on line 22

Strike: remainder of line 22 through "return" on line 25

Insert: ", with the approval of the county commissioners, call in a replacement to hold court in his place. If the justice of the peace is unable, or fails, to call in a replacement when one is required for the proper administration of justice, a replacement shall be called in by the county commissioners. The replacement shall be another justice, if one is readily available, a city judge, or some other qualified person"

Amendment passed as follows:

Ayes: Asay, Bergene, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Darko, Devlin, Donaldson, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow.

Total 68

Noes: Abrams, Addy, Bachini, Bardanouve, Bradley, D. Brown, Cohen, Connelly, Driscoll, Garcia, Hammond, Hand, Holliday, Howe, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Krueger, Miles, Peck, Quilici, Raney, Schye, Williams, Zabrocki, Mr. Speaker.

Total 28

Excused: Ellerd.

Total 1

Absent or not voting: Hansen, Hart, O'Connell.

Total 3

That HB 333, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Jenkins, Krueger, Miles.

Total 3

Excused: Ellerd.

Total 1

Absent or not voting: Hansen, Nathe, Smith, Waldron.

Total 4

HB 245 - That HB 245 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Ellerd.

Total 1

Absent or not voting: Nathe, Waldron.

Total 2

HB 284 - That HB 284 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nisbet, O'Connell, O'Hara, Patterson, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Campbell, Hayne, Jones, Nathe, Nelson, Pavlovich, Peterson, Sales, Smith, Wallin, Zabrocki.

Total 11

Excused: Ellerd.

Total 1

Absent or not voting: None.

Total 0

HB 339 - Representative Ramirez moved that HB 339, second reading copy, be amended as follows:

1. Page 2, lines 8 through 11.

Following: "subsequent to" on line 8

Strike: remainder of subsection (4) in its entirety

Insert: "the 10th anniversary of tax increment provisions adopted after January 1, 1980, and the 12th anniversary of tax increment provisions adopted prior to January 1, 1980."

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Ellerd.

Total 1

Absent or not voting: Pavlovich.

Total 1

Representative Donaldson excused at this time.

That HB 339, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Garcia, J. Moore, Pistoria.

Total 3

Excused: Donaldson, Ellerd.

Total 2

Absent or not voting: Bradley, Hanson, Kadas.

Total 3

HB 353 - That HB 353 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Donaldson, Ellerd.

Total 2

Absent or not voting: Kadas.

Total 1

HB 373 - That HB 373 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Donaldson, Ellerd.

Total 2

Absent or not voting: Kadas, Pavlovich, Sands.

Total 3

Representative Keenan in the Chair.

Representative Waldron excused at this time.

HB 379 - That HB 379 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ernst, Eudaily, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harp, Harrington, Hart, Hayne, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 77

Noes: Asay, Cobb, Cody, Ellison, Fritz, Glaser, Harbin, Harper, Howe, Iverson, Koehnke, Miles, J.K. Moore, Nathe, Patterson, Phillips, Pistoria, Schultz, Schye, Switzer.

Total 20

Excused: Donaldson, Ellerd, Waldron.

Total 3

Absent or not voting: None.

Total 0

HB 387 - Representative Addy moved that HB 387 do pass. Representative Hannah made a substitute motion that consideration of HB 387 be passed for the day. Motion failed. (35-59)

That HB 387 do pass. Motion failed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cohen, Connelly, Darko, Driscoll, Eudaily, Garcia, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Kadas, Keenan, Kennerly, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Williams, Zabrocki, Mr. Speaker.

Total 47

Noes: Asay, Bergene, Brandewie, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Hayne, Howe, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Poff, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 52

Paired: Harper, Quilici, Ayes; Donaldson, Ellerd, Noes.

Excused: Waldron.

Total 1

Absent or not voting: None.

Total 0

Representative Harper moved that HB 387 do not pass. Representative Addy made a substitute motion that consideration of HB 387 be passed for the day. Motion carried.

Representative Addy in the Chair.

HB 394 - That HB 394 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cohen, Connelly, Darko, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Menahan, Miles, Miller, Montayne, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Sands, Schye, Smith, Wallin, Williams, Mr. Speaker.

Total 67

Noes: Asay, Brandewie, Cobb, Cody, Compton, Devlin, Glaser, Harp, Jones, Keller, Keyser, Manuel, Marks, Mercer, J.K. Moore, J. Moore, O'Hara, Patterson, Ramirez, Rehberg, Schultz, Simon, Spaeth, Swift, Switzer, Thoft, Winslow, Zabrocki.

Total 28

Excused: Donaldson, Ellerd, Waldron.

Total 3

Absent or not voting: Bardanouve, Thomas.

Total 2

HB 424 - That HB 424 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Mercer.

Total 1

Excused: Donaldson, Ellerd, Waldron.

Total 3

Absent or not voting: Keyser, Pavlovich.

Total 2

HB 443 - Representative J. Brown moved that consideration of HB 443 be passed for the day in order to add a statement of intent. Motion carried.

HB 444 - Representative J. Brown moved that HB 444 do pass. Representative Hannah made a substitute motion that consideration of HB 444 be passed for the day in order to be considered with HB 443, a companion bill. Motion carried.

HB 463 - That HB 463 do pass. Motion carried as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Harbin, Harp, Hart, Hayne, Holliday, Howe, Iverson,

Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 83

Noes: Addy, D. Brown, Driscoll, Hansen, Harper, Harrington, Kadas, Krueger, Montayne, Schye, Spaeth.
Total 11

Excused: Donaldson, Ellerd, Waldron.
Total 3

Absent or not voting: Connelly, Hanson, Ream.
Total 3

HB 464 - That HB 464 do pass. Motion carried as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 84

Noes: Addy, D. Brown, Driscoll, Harper, Harrington, Kennerly, Krueger, Montayne, Ream, Schye.
Total 10

Excused: Donaldson, Ellerd, Waldron.
Total 3

Absent or not voting: Connelly, Ellison, Hanson.
Total 3

HB 467 - Representative Hannah moved that consideration of HB 467 be passed for the day. Motion carried.

HB 488 - That HB 488 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Donaldson, Ellerd, Waldron.

Total 3

Absent or not voting: Ellison.

Total 1

Representative Donaldson present at this time.

HB 532 - That HB 532 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 92

Noes: Bergene, Cobb, Kadas, Ramirez, Thomas, Winslow.

Total 6

Excused: Ellerd, Waldron.

Total 2

Absent or not voting: None.

Total 0

HB 547 - That HB 547 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Ellerd, Waldron.

Total 2

Absent or not voting: Cohen, Nathe.

Total 2

HB 602 - Representative Fritz moved that HB 602, second reading copy, be amended as follows:

1. Page 4, lines 14 through 19.

Strike: section 6 in its entirety

Renumber: subsequent section

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Ellerd, Waldron.

Total 2

Absent or not voting: Nathe, Williams.

Total 2

That HB 602, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Marks.

Total 1

Excused: Ellerd, Waldron.

Total 2

Absent or not voting: Ellison, Nathe.

Total 2

Representative Waldron present at this time.

HB 625 - Representative Wallin moved that HB 625, second reading copy, be amended as follows:

1. Page 2, line 13.

Following: “,”

Insert: “or”²

2. Page 2.

Following: line 13

Strike: subsection (4) in its entirety

Renumber: subsequent subsection

3. Page 2, line 20.

Strike: "(4)"

Insert: "(3)"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Poff, Ramirez, Rehberg, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki.

Total 61

Noes: Bachini, Bardanouve, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Krueger, McCormick, Menahan, Miles, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Schye, Waldron, Mr. Speaker.

Total 39

Paired: Ellerd, Aye; Harper, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Cohen moved that consideration of HB 625 be passed for the day. Motion carried. (56-43)

HB 667 - That HB 667 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: Cody, Glaser, Miller, O'Connell, Pistoria, Poff, Sands.

Total 7

Excused: Ellerd.

Total 1

Absent or not voting: Hansen.

Total 1

SB 71 - That SB 71 be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 90

Noes: Bergene, Campbell, Cody, Kadas, Nathe, Nisbet, Poff, Switzer.
Total 8

Excused: Ellerd.
Total 1

Absent or not voting: Schultz.
Total 1

SJR 9 - That SJR 9 be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Ellerd.
Total 1

Absent or not voting: None.
Total 0

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Addy moved the adoption of the committee report. Report adopted. (95-0)

MOTIONS

Representative Harper moved that the rules be temporarily suspended to allow SJR 9 to be heard on third reading this day. Motion carried.

Representative Marks moved that HB 387 be taken from second reading and referred to the Committee on Business and Labor. Motion carried.

Representative Donaldson moved that HB 667 be taken from engrossing and referred to the Committee on Appropriations. Motion carried.

Representative J. Brown moved that HB 443 be taken from second reading and referred to the Committee on Judiciary. Motion carried.

Representative J. Brown moved that Christiaens be added as a sponsor to HB 720. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 122 passed as follows:

Ayes: Abrams, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Simon, Smith, Swift, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 78

Noes: Addy, Bardanouve, Cody, Cohen, Connelly, Garcia, Hansen, Harbin, Harper, Kadas, Keenan, Manuel, Miles, J. Moore, Nisbet, Raney, Sales, Schye, Spaeth, Waldron.

Total 20

Excused: Ellerd.

Total 1

Absent or not voting: Switzer.

Total 1

HB 183 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, Cody, Cohen, Connelly, Darko, Donaldson, Ellerd, Eudaily, Fritz, Gilbert, Glaser, Hammond, Hannah, Hansen, Harper, Harrington, Hayne, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, Marks, Mercer, Miles, J. Moore, Nelson, O'Hara, Peck, Peterson, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sands, Schye, Simon, Spaeth, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 52

Noes: Abrams, D. Brown, J. Brown, Campbell, Cobb, Compton, Devlin, Driscoll, Ellison, Ernst, Garcia, Gould, Grady, Hand, Hanson, Harbin, Harp, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Kennerly, Keyser, Krueger, McCormick, Manuel, Menahan, Miller, Montayne, J.K. Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Raney, Sales, Schultz, Smith, Swift, Switzer, Thoft, Zabrocki.

Total 48

Paired: Ellerd, Aye; Keyser, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 184 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 88

Noes: Brandewie, Ellerd, Glaser, Hannah, Hayne, Jones, Kitselman, Mercer, Nelson, O'Hara, Peck, Wallin.

Total 12

Paired: Keyser, Aye; Ellerd, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 310 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Campbell.

Total 1

Excused: Ellerd.

Total 1

Absent or not voting: Fritz.

Total 1

HB 323 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki.

Total 89

Noes: D. Brown, Cohen, Driscoll, Hansen, Kadas, Keenan, Krueger, Miles, Ream, Williams, Mr. Speaker.

Total 11

Paired: Ellerd, Aye; D. Brown, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 352 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Ellerd.

Total 1

Absent or not voting: Krueger.

Total 1

HB 372 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Ellerd.

Total 1

Absent or not voting: Williams.

Total 1

HB 378 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 83

Noes: D. Brown, Connelly, Driscoll, Garcia, Hammond, Hart, Keenan, Kennerly, Krueger, McCormick, Menahan, Montayne, Nisbet, O'Connell, Raney, Waldron.
Total 16

Excused: Ellerd.
Total 1

Absent or not voting: None.
Total 0

HB 446 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 98

Noes: Garcia.
Total 1

Excused: Ellerd.
Total 1

Absent or not voting: None.
Total 0

HB 469 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream,

Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Ellerd.

Total 1

Absent or not voting: None.

Total 0

HB 560 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: Brandewie, Campbell, Hannah, Harp, Jones, Koehnke, Mercer, Nelson.

Total 8

Excused: Ellerd.

Total 1

Absent or not voting: None.

Total 0

HJR 20 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Ellerd.

Total 1

Absent or not voting: Bergene.

Total 1

SJR 9 concurred in as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Ellerd.

Total 1

Absent or not voting: None.

Total 0

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/9/85

Correctly printed: HB 256, HB 401, HB 416, HB 432, HB 460, HB 468, HB 633, HB 639.

Correctly engrossed: HB 333, HB 351.

BUSINESS AND LABOR (Pavlovich, Chairman):

2/9/85

Adverse Committee Reports

HB 391, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Asay, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Mercer, J.K. Moore, J. Moore, Nathe, Nelson, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 66

Noes: Addy, Bachini, Bardanouve, Bergene, D. Brown, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hansen, Harper, Harrington, Hart, Kadas, Keenan, Krueger, McCormick, Menahan, Miles, Miller, Montayne, Nisbet, O'Connell, Raney, Rapp-Svrcek, Ream, Waldron, Williams, Zabrocki.

Total 32

Excused: Ellerd.

Total 1

Absent or not voting: Smith.

Total 1

HB 437, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hansen, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Keyser, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Ream, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Mr. Speaker.

Total 74

Noes: Addy, Cohen, Driscoll, Fritz, Garcia, Hammond, Hannah, Harper, Keenan, Kennerly, Kitselman, Krueger, Miles, J. Moore, Nisbet, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Winslow, Zabrocki.

Total 23

Excused: Ellerd.

Total 1

Absent or not voting: Montayne, Poff.

Total 2

HB 648, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Addy, J. Brown, Cohen, Driscoll, Fritz, Garcia, Harbin, Kadas, Nathe, Rapp-Svrcek, Ream, Spaeth, Waldron, Zabrocki.

Total 14

Excused: Ellerd.

Total 1

Absent or not voting: None.

Total 0

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman):

2/8/85

HB 416, do pass. Report adopted.

HB 432, do pass. Report adopted.

SB 18, be concurred in. Report adopted.

Adverse Committee Report

HB 305, do not pass.

JUDICIARY (Hannah, Chairman):

2/8/85

Adverse Committee Report

HB 413 - Representatives Kadas, Hansen, J. Hammond, Addy, Rapp-Svrcek, Darko, Krueger, Miles, Connelly, Vincent, Spaeth, Howe, Bradley, Garcia, Ream, Harrington, Waldron, Williams, McCormick, and Bachini objected to the adverse committee report on HB 413, and requested that the bill be printed and placed on second reading. 2/8/85

LOCAL GOVERNMENT (Darko, Chairman):

2/9/85

Adverse Committee Report

HB 253, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 89

Noes: Fritz, Garcia, Hansen, Harper, Jenkins, Kadas, Keyser, Sales, Waldron.

Total 9

Excused: Ellerd.

Total 1

Absent or not voting: Smith.

Total 1

STATE ADMINISTRATION (Sales, Chairman):

2/9/85

Adverse Committee Reports

HB 398, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Asay, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Connelly, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Ramirez, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 77

Noes: Addy, Bachini, Cody, Cohen, Darko, Fritz, Hammond, Hansen, Harbin, Harper, Kadas, Keenan, Kennerly, Krueger, Miles, J. Moore, Pistoria, Quilici, Raney, Ream, Spaeth, Waldron.

Total 22

Excused: Ellerd.

Total 1

Absent or not voting: None.

Total 0

HJR 14, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bradley, Campbell, Cody, Compton, Connelly, Donaldson, Ellison, Ernst, Eudaily, Fritz, Grady, Hand, Hannah, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Jones, Keller, Lory, Marks, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Thoft, Wallin, Williams, Winslow.

Total 50

Noes: Bachini, Bardanouve, Bergene, Brandewie, D. Brown, J. Brown, Cobb, Cohen, Darko, Devlin, Driscoll, Garcia, Gilbert, Glaser, Gould, Hammond, Hansen, Harper, Iverson, Jenkins, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Pavlovich, Peck, Pistoria, Poff, Rapp-Svrcek, Ream, Swift, Switzer, Thomas, Waldron, Zabrocki, Mr. Speaker.

Total 49

Excused: Ellerd.

Total 1

Absent or not voting: None.

Total 0

UNFINISHED BUSINESS

Speaker Vincent reported that 760 bills have been introduced in the House to date, and that there are 100 more in the Legislative Council. At this time last year, 660 bills had been introduced. He also reported that 320 bills had been processed in the 30 days so far, leaving 450 bills to be acted upon before transmittal deadline. In order for this to happen, 30 bills a day will have to be acted on.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Vincent introduced this week's pages: Molly Minnehan, Sindy Coffey, Jo Ellen Schlekewy, Kathy Heffernan, Maya Farris, John Cote, and Michelle Quale, and thanked them for their services.

Representative Harper moved that the House adjourn until 12:00 p.m., February 11, 1985.

Motion carried.

House adjourned at 1:17 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

THIRTY-FIRST LEGISLATIVE DAY

Helena, Montana
February 11, 1985

House Chambers
State Capitol

House convened at 12:10 p.m., Mr. Speaker in the Chair. Invocation by Father Jim Reeves. Pledge of Allegiance to the Flag.

Roll call. All members present except Hannah, Howe, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the thirtieth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/9/85

Correctly printed: HB 413, HB 482.

Considered correctly engrossed: HB 101, HB 373.

2/11/85

Considered correctly engrossed: HB 86, HB 168, HB 171, HB 230,
HB 245, HB 284, HB 353, HB 379, HB 394, HB 424, HB 463,
HB 464, HB 488, HB 532, HB 547.

Correctly engrossed: HB 339, HB 602.

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman):
2/11/85

Adverse Committee Report

HB 305, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Cobb, Pistoria, Schye.

Total 3

Excused: Hannah, Howe.

Total 2

Absent or not voting: Cohen, Connelly, Kadas.

Total 3

JUDICIARY (Hannah, Chairman): 2/11/85

HB 443, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 443

A statement of intent is required for this bill because it gives the department of revenue rulemaking authority.

The intent of this bill and federal Public Law 93-378, the Child Support Enforcement Amendments of 1984, on which it is based is to ensure that the support of children is the highest priority in the allocation of a responsible parent's income through the timely and automatic initiation of income withholding procedures whenever a delinquency occurs equal to at least 1 month's support payment. This bill requires the department to monitor and track support payments as they become due for the purpose of detecting delinquencies and further to promptly respond to such delinquency with income withholding procedures. To expedite the process of income withholding, any hearings are to be held under the contested case procedures of the Montana Administrative Procedure Act. Further, income withholding procedures are to be made available for interstate applications.

More specifically, it is the intent of the bill to grant to the department of revenue the following:

(1) the authority to establish rules and procedures related to the administrative hearing process, including but not limited to procedures for requesting a hearing, for discovery, and for teleconferencing;

(2) the authority to adopt guidelines for the exercise of discretion in reducing the amount to be withheld in satisfaction of arrearages;

(3) the authority to establish procedures for the monitoring, tracking, and dispensing of support payments and payments received from income withholdings; and

(4) the authority to establish procedures for the implementation of interstate withholding.

Adverse Committee Reports

HB 502, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 86

Noes: Addy, Gould, Kennerly, Kitselman, J.K. Moore, Nathe, O'Hara, Peck, Pistoria, Quilici, Winslow.

Total 11

Excused: Hannah, Howe.

Total 2

Absent or not voting: Bardanoue.

Total 1

HB 664, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Asay, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Cobb, Cody, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hanson, Harp, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Keyser, Lory, McCormick, Manuel, Marks, Mercer, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peterson, Phillips, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 68

Noes: Addy, Bachini, D. Brown, Campbell, Cohen, Connelly, Darko, Driscoll, Fritz, Hammond, Hansen, Harbin, Harper, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Krueger, Menahan, Miles, Miller, J. Moore, Pavlovich, Peck, Pistoria, Raney, Schye, Waldron, Zabrocki.

Total 30

Excused: Hannah, Howe.

Total 2

Absent or not voting: None.

Total 0

LOCAL GOVERNMENT (Darko, Chairman):

2/9/85

HB 328, introduced bill, be amended as follows:

1. Page 4, line 2.

Following: "~~jurisdiction~~"

Insert: "chartered to do business in its jurisdiction and such institutions in neighboring counties"

And, as amended, do pass. Report adopted.

HB 457, introduced bill, be amended as follows:

1. Title, line 7.

Following: "UNDERSHERIFF;"

Insert: "AND PROVIDING FOR THE SALARY OF SUCH RETURNING DEPUTY;"

2. Page 1, line 23.

Following: "undersheriff."

Insert: "Upon the return to the position of deputy sheriff, such person shall be paid the same salary he would have received had he not taken the undersheriff position."

And, as amended, do pass. Report adopted.

HB 470, referred to the committee of the whole without recommendation. Report adopted.

HB 505, introduced bill, be amended as follows:

1. Page 1, line 17.

Following: "such"

Insert: "towns or"

And, as amended, do pass. Report adopted.

HB 614, introduced bill, be amended as follows:

1. Title, line 5.

Following: "OFFICIALS"

Insert: "AND PROVIDING AN EFFECTIVE DATE"

2. Page 3.

Following: line 18

Insert: "NEW SECTION. Section 2. Effective date. This act is effective July 1, 1985."

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 255, do not pass.

HB 683, do not pass.

NATURAL RESOURCES (Iverson, Chairman):

2/8/85

HB 434, introduced bill, be amended as follows:

1. Title, line 8.

Strike: "60-DAY"

Insert: "1-YEAR"

2. Page 2, line 12.

Following: "water"

Strike: "and common forms of sand and gravel"

3. Page 3, line 16.

Following: "when"

Insert: "the mineral interest is leased or"

4. Page 3, line 19.

Following: "permittee;"

Strike: "or"

Insert: "(d) the mineral interest or any portion thereof is the subject of a sale, mortgage, or other transfer evidenced by a document or a memorandum thereof recorded in the office of the clerk and recorder of each county wherein the interest is located prior to the end of the 20-year period set forth in [section 2] or within 2 years after [the effective date of this act], whichever is later; or"

Renumber: subsequent subsection

5. Page 4, line 4.

Following: "carved"

Insert: "if the surface owner complies with the notice requirements of [section 4]"

6. Page 5, line 1.

Following: "Any"

Strike: "person who succeeds"

Insert: "surface owner of the land who wishes to succeed"

7. Page 5, line 3.

Following: "shall"

Strike: ", upon succeeding to that interest,"

8. Page 5, line 5.

Following: "publishing"

Strike: "the same"

Insert: "a notice at least once each week for 3 consecutive weeks"

9. Page 5, lines 9 and 10.

Following: "determined"

Strike: "by reasonable inquiry"

Insert: "with due diligence"

10. Page 5, line 10.

Following: "by"

Strike: "mailing"

Insert: "personal service or by registered mailing of"

11. Page 5, line 17.

Following: "notice"

Insert: ", which must be verified by the surface owner,"

12. Page 5, line 24.

Following: "within"

Strike: "60 days"

Insert: "1 year"

13. Page 6, line 3.

Following: "within"

Strike: "60 days"

Insert: "1 year"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

2/11/85

Adverse Committee Report

HB 327, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: Campbell, J.K. Moore, Sales.

Total 3

Excused: Hannah, Howe.

Total 2

Absent or not voting: Asay, Hansen, Kadas, Keyser.

Total 4

HB 535 - Representatives Campbell, Rapp-Svrcek, O'Connell, J. Hammond, Fritz, Phillips, Hannah, C. Smith, Peterson, Mercer, Cobb, O'Hara, Grady, Rehberg, J.K. Moore, Winslow, Simon, Holliday, Hayne, and Miller objected to the adverse committee report on HB 535, and requested that the bill be printed and placed on second reading.

2/8/85

TAXATION (Devlin, Chairman):

2/11/85

HB 596, do pass. Report adopted.

Adverse Committee Report

HB 617, do not pass.

MESSAGES FROM THE OTHER HOUSE

House bill concurred in and returned to the House: 2/8/85

HB 142, introduced by Manuel

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 2/8/85

HB 99, introduced by Bradley

Senate bills passed and transmitted to the House for concurrence: 2/8/85

SB 76, introduced by Halligan

SB 121, introduced by Norman, et al.

SB 151, introduced by B. Brown, et al.

SB 162, introduced by Daniels

SB 164, introduced by Neuman, et al.

SB 246, introduced by Pinsoneault, et al.

House bills concurred in and returned to the House: 2/9/85

HB 77, introduced by Williams

HB 148, introduced by Manuel, Ernst

Senate bills passed and transmitted to the House for concurrence: 2/9/85

SB 168, introduced by Haffey, B. Brown

SB 178, introduced by Kolstad

SB 196, introduced by Fuller, et al.

SB 198, introduced by Christiaens, Darko

SJR 13, introduced by Eck, et al.

MOTIONS

Representative Keyser moved that HB 467 be placed below HB 416, second reading this day. Motion carried.

Representative J. Brown moved that consideration of HB 444 be passed for the day in order to be heard with HB 443. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative J.K. Moore in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 625 - Representative Cohen moved that Representative Wallin's amendment to HB 625, second reading on the 30th legislative day, be amended as follows:

1. Page 2, line 13.

Following: “,”

Strike: “or”²

2. Page 2.

Following: line 13

Insert: stricken subsection (4) in its entirety

Renumber: subsequent subsection

3. Page 2, line 20.

Strike: "(3)"

Insert: "(4)"

Representative Ramirez made a substitute motion that the amendment do not pass. Motion failed. (48-51)

Representative Cohen's amendment passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Kadas, Keenan, Kennerly, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 51

Noes: Asay, Bergene, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 48

Paired: Harper, Quilici, Ayes; Hannah, Keller, Noes.

Excused: Howe.

Total 1

Absent or not voting: None.

Total 0

Representative Cohen moved that HB 625, as amended, do pass.

Representative Ramirez made a substitute motion that HB 625, as amended, do not pass. Motion failed. (48-50) Thereupon HB 625, as amended, passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Kadas, Keenan, Kennerly, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Miles, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 50

Noes: Asay, Bergene, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Marks, Mercer, Miller, Montayne, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 49

Paired: Harper, Koehnke, Quilici, Ayes; Hannah, Keller, Ramirez, Noes.

Excused: Howe.

Total 1

Absent or not voting: None.

Total 0

Representative Hannah present at this time.

Representatives D. Brown, Koehnke, and Krueger excused at this time.

HB 33 - Representative Keenan moved that HB 33, second reading copy, be amended as follows:

1. Page 4, line 8.

Strike: "compressed natural gas,"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Kennerly, Keyser, Kitselman, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: D. Brown, Howe, Keller, Koehnke, Krueger.

Total 5

Absent or not voting: Ellison, Kadas, Williams.

Total 3

That HB 33, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jones, Kadas, Keenan, Kennerly, Kitselman, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Thomas, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 82

Noes: Asay, Campbell, Ellison, Hannah, Jenkins, Keyser, Nathe, Peterson, Rehberg, Swift, Switzer, Thoft, Wallin.

Total 13

Excused: D. Brown, Howe, Keller, Koehnke, Krueger.

Total 5

Absent or not voting: None.

Total 0

HB 186 - That HB 186 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Gould, Hammond, Hand, Hansen, Harrington, Hart, Kadas, Keenan, Kennerly, Lory, McCormick, Manuel, Menahan, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Rapp-Svrcek, Ream, Sales, Sands, Schye, Spaeth, Waldron, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 52

Noes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Grady, Hannah, Hanson, Harbin, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Marks, Mercer, J.K. Moore, Nathe, O'Hara, Patterson, Ramirez, Raney, Rehberg, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Winslow.

Total 44

Excused: D. Brown, Howe, Koehnke, Krueger.

Total 4

Absent or not voting: None.

Total 0

HB 256 - That HB 256 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: D. Brown, Howe, Koehnke, Krueger.

Total 4

Absent or not voting: Ellison, Hansen, Jones, Marks.

Total 4

Representative Koehnke present at this time.

HB 401 - That HB 401 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick,

Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 93

Noes: Fritz, Hannah.
Total 2

Excused: D. Brown, Howe, Krueger.
Total 3

Absent or not voting: Ellison, Sands.
Total 2

HB 413 - That HB 413 do pass. Motion failed as follows:

Ayes: Bardanouve, Bradley, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hansen, Harper, Harrington, Hart, Kadas, Keenan, Kennerly, Krueger, Menahan, Miles, J. Moore, O'Connell, Pistoria, Rapp-Svrcek, Ream, Waldron, Zabrocki, Mr. Speaker.
Total 27

Noes: Abrams, Addy, Asay, Bachini, Bergene, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miller, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow.
Total 71

Paired: Krueger, Aye; Hannah, No.

Excused: D. Brown, Howe.
Total 2

Absent or not voting: None.
Total 0

That HB 413 do not pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miller, Montayne, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.
Total 72

Noes: Bardanouve, Bradley, Cohen, Connelly, Darko, Fritz, Hammond, Hansen, Harper, Harrington, Hart, Kadas, Keenan, Kennerly, Krueger, Menahan, Miles, J. Moore, Nisbet, O'Connell, Pistoria, Rapp-Svrcek, Ream, Schye, Waldron, Zabrocki.
Total 26

Paired: Hannah, Aye; Krueger, No.

Excused: D. Brown, Howe.

Total 2

Absent or not voting: None.

Total 0

HB 416 - That HB 416 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: D. Brown, Howe, Krueger.

Total 3

Absent or not voting: Driscoll, Manuel, Montayne, Nathe, O'Connell.

Total 5

Representative Krueger present at this time.

HB 467 - That HB 467 do pass. Motion carried as follows:

Ayes: Abrams, Asay, Bergene, Brandewie, J. Brown, Campbell, Cobb, Compton, Connelly, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Mercer, Miller, J.K. Moore, J. Moore, Nelson, O'Hara, Patterson, Peterson, Phillips, Pistoria, Quilici, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Zabrocki, Mr. Speaker.

Total 63

Noes: Addy, Bachini, Bardanouve, Cody, Cohen, Darko, Driscoll, Fritz, Garcia, Hammond, Hansen, Harbin, Harper, Hart, Kadas, Krueger, McCormick, Menahan, Miles, Nisbet, Pavlovich, Peck, Poff, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams.

Total 30

Excused: D. Brown, Howe.

Total 2

Absent or not voting: Bradley, Montayne, Nathe, O'Connell, Winslow.

Total 5

HB 432 - That HB 432 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz,

Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: D. Brown, Howe.

Total 2

Absent or not voting: Nathe.

Total 1

HB 453 - That HB 453 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Glaser, O'Hara, Sales, Swift.

Total 4

Excused: D. Brown, Howe.

Total 2

Absent or not voting: Brandewie, Harp.

Total 2

Representative D. Brown present at this time.

HB 460 - Representative Thomas moved that consideration of HB 460 be passed for the day. Motion carried.

HB 468 - That HB 468 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith,

Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Campbell, Ellison, Hanson, Keyser, Mercer, Nathe.

Total 6

Excused: Howe.

Total 1

Absent or not voting: None.

Total 0

HB 482 - Representative Pistoria moved that HB 482, second reading copy, be amended as follows:

1. Page 2, line 7.

Following: "precinct"

Insert: "and unable to vote in person"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Howe.

Total 1

Absent or not voting: McCormick, O'Connell, Smith.

Total 3

That HB 482, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Campbell, Ellerd, Ellison, Glaser, Sales.

Total 5

Excused: Howe.

Total 1

Absent or not voting: None.

Total 0

HB 531 - That HB 531 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Jenkins.

Total 1

Excused: Howe.

Total 1

Absent or not voting: Hansen, Waldron.

Total 2

HB 633 - Representative Lory moved that HB 633, second reading copy, be amended as follows:

1. Page 3, line 17.

Strike: "202,595"

Insert: "136,787"

2. Page 3, line 18.

Strike: "212,725"

Insert: "139,825"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Devlin, Swift.

Total 2

Excused: Howe.

Total 1

Absent or not voting: Pavlovich.

Total 1

That HB 633, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Swift, Switzer.

Total 2

Excused: Howe.

Total 1

Absent or not voting: Bardanouve.

Total 1

Representative Waldron excused at this time.

HB 639 - That HB 639 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Howe, Waldron.

Total 2

Absent or not voting: Devlin, Nathe.

Total 2

HB 681 - Representative J. Brown moved that HB 681 do pass. Representative Krueger made a substitute motion that consideration of HB 681 be passed for the day. Motion failed. (47-48)

Representative Winslow moved that HB 681 be placed below HB 107. Motion carried.

HB 107 - That the Governor's amendments to HB 107 be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Hannah, Sales.

Total 2

Excused: Howe, Waldron.

Total 2

Absent or not voting: Asay, Kadas, Ramirez.

Total 3

Representative Waldron present at this time.

HB 681 - Representative Krueger moved that HB 681, second reading copy, be amended. Representative Bardanouve made a substitute motion that consideration of HB 681 be passed for the day. Motion carried. (63-35)

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman J.K. Moore moved the adoption of the committee report. Report adopted. (98-1)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 101 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: Cody, Devlin, Fritz, Gilbert, Jones, Poff, Sands, Thomas.

Total 8

Excused: Howe.

Total 1

Absent or not voting: None.

Total 0

HB 333 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Bergene, Ellerd, Hanson, O'Hara.

Total 4

Excused: Howe.

Total 1

Absent or not voting: None.

Total 0

HB 335 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Howe.

Total 1

Absent or not voting: None.

Total 0

HB 340 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nelson, Nisbet,

O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Hansen, Montayne.

Total 2

Excused: Howe.

Total 1

Absent or not voting: Nathe.

Total 1

HB 351 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Cobb, Connelly, Harper, Koehnke.

Total 4

Excused: Howe.

Total 1

Absent or not voting: None.

Total 0

HB 358 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Ellison, J.K. Moore.

Total 2

Excused: Howe.

Total 1

Absent or not voting: None.

Total 0

HB 359 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: Cobb, Gilbert, Glaser, Hannah, Kitselman, Nathe, Peterson, Sales, Swift, Switzer.

Total 10

Excused: Howe.

Total 1

Absent or not voting: None.

Total 0

HB 373 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Ellison, Marks.

Total 2

Excused: Howe.

Total 1

Absent or not voting: None.

Total 0

HB 412 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet,

O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Brandewie, Pistoria.

Total 2

Excused: Howe.

Total 1

Absent or not voting: Hansen.

Total 1

HB 428 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Nathe, Wallin.

Total 2

Excused: Howe.

Total 1

Absent or not voting: None.

Total 0

HB 440 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Garcia.

Total 1

Excused: Howe.

Total 1

Absent or not voting: Hansen.

Total 1

HB 462 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Bardanouve, Connelly, Ellison, Hannah, Thoft.

Total 5

Excused: Howe.

Total 1

Absent or not voting: None.

Total 0

HB 518 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Howe.

Total 1

Absent or not voting: None.

Total 0

HB 582 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne,

J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Pistoria, Poff, Quilici, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: Hannah, Harbin, Jones, Peck, Phillips, Ramirez, Raney, Smith, Spaeth.

Total 9

Excused: Howe.

Total 1

Absent or not voting: Connelly.

Total 1

HB 609 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Howe.

Total 1

Absent or not voting: Grady.

Total 1

SB 71 concurred in as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Campbell, Nathe, Nisbet, Switzer.

Total 4

Excused: Howe.

Total 1

Absent or not voting: Compton.

Total 1

REPORTS OF STANDING COMMITTEES

JUDICIARY (Hannah, Chairman):

2/11/85

HB 300, introduced bill, be amended as follows:

1. Page 1, line 14.

Following: "45-5-505"

Insert: ", 45-5-507, or 45-5-625"

And, as amended, do pass. Report adopted.

HB 575, introduced bill, be amended as follows:

1. Title, line 6.

Following: "OLD"

Strike: ", "

Insert: "AND"

Following: "OLDER"

Strike: ", AND" through "COMMITTED" on line 7

2. Page 1, line 25.

Following: "victim"

Strike: "and" through "45-5-625" on page 2, line 2

And, as amended, do pass. Report adopted.

HB 600, do pass. Report adopted.

HB 644, introduced bill, be amended as follows:

1. Page 1, line 14.

Following: "45-5-505"

Insert: ", 45-5-507, or 45-5-625"

2. Page 1, lines 18 and 19.

Strike: "a psychiatric"

Insert: "an"

3. Page 1, line 20.

Following: "treatment"

Insert: "by a person qualified by professional experience"

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Darko, Chairman):

2/11/85

HB 465, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "COUNTIES TO MAINTAIN"

Insert: "OWNERS AND OPERATORS OF SOLID WASTE MANAGEMENT SYSTEMS TO SUBMIT INFORMATION ON THE LOCATION AND CONTENTS OF SOLID WASTE DISPOSAL SITES TO COUNTIES TO RECORD"

2. Title, lines 6 and 7.

Strike: "INFORMATION ON THE LOCATION AND CONTENTS OF SOLID WASTE DISPOSAL SITES"

Insert: "; PROVIDING FOR THE RECORDING OF SUCH INFORMATION BY COUNTY HEALTH DEPARTMENTS OF SITES KNOWN TO THEM"

3. Page 2, lines 3 through 11.

Strike: subsection (5) in its entirety

Insert: "(5) requirements for owners and operators of solid waste management systems licensed under this part to furnish for recording on permanent land records located in each county the approximate volume, location, and type of material deposited in the licensee's site;

(6) procedures by which county health departments may submit for recording in each county's permanent land record information on the volume, location, and type of material deposited in solid waste disposal sites not currently licensed but known to have been previously used, or which are currently used as permanent disposal sites; and"

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 465

It is the intent of the legislature that the department of health and environmental sciences adopt rules:

(1) requiring owners and operators of solid waste management systems to submit information on the location and contents of solid waste disposal sites to counties to maintain as part of their permanent land records; and

(2) specifying procedures a county health department may use to submit information on solid waste disposal sites for inclusion in the county permanent land records.

HB 612, introduced bill, be amended as follows:

1. Title, line 5.

Following: "COSTS FOR"

Insert: "RURAL SPECIAL IMPROVEMENT DISTRICTS AND"

2. Title, line 6.

Following: "SECTIONS"

Insert: "7-12-2112, 7-12-2151,"

3. Page 1.

Following: line 10

Insert: "Section 1. Section 7-12-2112, MCA, is amended to read:

"7-12-2112. Sufficient protest to bar proceedings — exception. (1) Except as provided in subsection (2), no further proceedings shall be taken for a period of 6 months from the date when said protest was received by the county clerk when:

~~(a) the protest is against the proposed work and the cost thereof is to be assessed upon the property fronting thereon and the board of county commissioners finds that such protest is made by the owners of more than 50% of the area fronting on the proposed work; or property to be assessed for the improvements within the district or extended district. For the purposes of protest, "property to be assessed" is the property fronting on the property under the frontage option, the area of the property under the area option, the lots under the lot option, and the taxable valuation under the taxable valuation option. Under the combination option established under 7-12-2151(1)(e), the 50% protest required to bar the proceedings is 50% of the combined properties assessed under 7-12-2151(1)(e).~~

(b) —the protest is against the proposed work and the cost thereof is to be assessed upon the property within the extended district and the board finds that such protest is made by the owners of more than one-half of the area of the property to be assessed for such improvements.

(2) In case the improvements are the construction of sanitary sewers, the protests may be overruled by a unanimous vote of the board."

Section 2. Section 7-12-2151, MCA, is amended to read:

"7-12-2151. Assessment of costs. (1) To defray the cost of making any of the improvements provided for in this part, the board of county commissioners shall adopt in the resolution of intention and resolution creating the district, one of the following method methods of assessment:

(1)(a) The board shall assess the entire cost of such improvements against the entire district. Each each lot or parcel of land assessed in such district shall be assessed with that part of the whole cost which its area bears to the area of the entire district, exclusive of streets, avenues, alleys, and public places;

(b) each lot or parcel of land within the district bordering or abutting a street or streets whereon or wherein the improvement has been made may be assessed in proportion to the lineal feet abutting or bordering on the street or streets;

(c) if the board of county commissioners determines that the benefits derived from the improvements by each lot or parcel are substantially equivalent, the cost may be assessed equally to each lot or parcel located within the district without regard to the area of the lot or parcel;

(d) each lot or parcel of land, including the improvements thereon, may be assessed for that part of the whole cost of the district which its taxable valuation bears to the total taxable valuation of the property of the district; or

(e) by using any combination of the assessment options provided in subsections (1)(a) through (1)(d). If a combination is used, the resolution of intention and resolution creating the district must specify the combination of options under which the district is to be assessed.

(2) —Where said rural improvement district is located more than 5 miles from the boundary of an incorporated city or town, said assessment may, at the option of the board, be based upon the assessed value of the lots or pieces of land within said district.

(3)(2) The board in its discretion shall have the power to pay the whole or any part of the cost of any street, avenue, or alley intersection out of any funds in its hands available for that purpose or to include the whole or any part of such costs within the amount of the assessment to be paid by the property in the district.""

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

2/11/85

HB 523, do pass. Report adopted.

HB 550, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 550

This bill requires a statement of intent because section 1 gives the department of administration rulemaking authority to administer the sick leave fund created by the bill.

The department is required to consult with the sick leave advisory council created by the bill in promulgating all rules. It is intended that these rules relate to the following matters:

- (1) procedures for contributing sick leave and applying for loans of sick leave;
- (2) a plan under which individuals must pay back the loaned sick leave;
- (3) the contribution of sick leave to a specific eligible individual rather than to the fund in general;
- (4) definition of the types of illness or other circumstances for which loans or grants may be made;
- (5) maximum amount of sick leave which may be loaned or granted; and
- (6) other matters necessary for the efficient operation of the sick leave fund.

It is further intended that these rules in no way limit the ability of a recognized bargaining agent to negotiate other sick leave provisions for its members.

HJR 18, do pass. Report adopted.

Adverse Committee Reports

HB 542, do not pass.

HB 555, do not pass.

HB 725, do not pass.

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

February 11, 1985

Dear Mr. Speaker:

Please be informed that I have signed House bills 32, 42, 80, 88, and 137 on this date.

Sincerely,

Ted Schwinden
Governor

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committees:

HB 761, introduced by C. Smith, Jones, Cohen, Campbell, Harbin, J. Moore, (By Request of the House State Administration Committee).
Referred to Committee on State Administration.

HB 762, introduced by Jones, C. Smith. Referred to Committee on State Administration.

HB 763, introduced by Menahan, Pavlovich, Holliday, Abrams.
Referred to Committee on Fish and Game.

- HB 764**, introduced by Harp, Mercer, Phillips, Eudaily, Jenkins, J. Moore, McCormick, Hanson, Hart, Montayne, Rapp-Svrcek, Cobb, Ream, Lynch, Peck, J. Brown, Grady, Bachini, Hand, Brandewie, Pavlovich, Jacobson, Lybeck, Manning, Lane, Hirsch, Conover. Referred to Committee on Fish and Game.
- HB 765**, introduced by J.K. Moore, Marks, Donaldson, Waldron, Hand, Shaw. Referred to Committee on Education and Cultural Resources.
- HB 766**, introduced by Ream, Halligan, B. Williams, Mohar, Darko, Krueger, Eck, Regan, Addy, Lynch, Bradley, Stimatz, Jacobson, Keenan, Shaw, Harper, Cohen, D. Brown, Iverson, Raney, Cobb, Lory, Kadas, Harrington, Harp, Tveit, Connelly, Fritz, Miles, Driscoll, J. Moore, Grady, (By Request of the Governor). Referred to Committee on Natural Resources.
- HB 767**, introduced by Waldron. Referred to Committee on Judiciary.
- HB 768**, introduced by Bradley, Marks, Miles, Kitselman. Referred to Committee on Local Government.
- HB 769**, introduced by Holliday, Halligan, Gage. Referred to Committee on Natural Resources.
- HB 770**, introduced by Ream, Yellowtail, E. Smith, Raney. Referred to Committee on Fish and Game.
- HB 771**, introduced by Cohen. Referred to Committee on State Administration.
- HB 772**, introduced by Campbell, Nathe, Devlin, Jenkins, Compton, Asay, Manuel, Hand. Referred to Committee on Human Services and Aging.
- HB 773**, introduced by Schye, Tveit, E. Smith, Switzer, Bachini, Cody, Nisbet, Conover, Peck, Abrams, H. Hammond, Kennerly, Zabrocki, Poff, Manuel, Compton, Harbin, Yellowtail, Lane, Howe. Referred to Committee on Business and Labor.
- HB 774**, introduced by Driscoll, Spaeth, Keenan, Bradley, Krueger, Miles, Addy, Quilici. Referred to Committee on State Administration.
- HB 775**, introduced by Harp, (By Request of the State Auditor). Referred to Committee on State Administration.
- HB 776**, introduced by Harp, Spaeth. Referred to Committee on Local Government.
- HB 777**, introduced by McCormick, O'Connell, Harrington, Ream, J.K. Moore, Bergene, J. Hammond, J. Brown, Pistoria, Koehnke, Kadas, Connelly, Cobb, Vincent, Miller, Hansen, Harp, Waldron. Referred to Committee on Human Services and Aging.
- HB 778**, introduced by Spaeth, C. Smith, Jones, Peterson, Lory, Wallin, Nelson, Harp, Eudaily, Ellerd. Referred to Committee on State Administration.
- HB 779**, introduced by Connelly, Quilici, Lory, Gage, Keating, (By Request of the Department of Justice). Referred to Committee on Judiciary.
- HB 780**, introduced by Pavlovich, Menahan, Quilici. Referred to Committee on State Administration.
- HB 781**, introduced by Spaeth, Mercer, Harp, Addy. Referred to Committee on Judiciary.
- HB 782**, introduced by Menahan, Donaldson, Vincent. Referred to Committee on Legislative Administration.
- HB 783**, introduced by Miles, Vincent, Regan, Harper, J. Hammond, Christiaens, Eck, Peck, Bergene, Wallin, J. Brown, Fuller, Connelly, Bradley, Mazurek, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Human Services and Aging.
- HB 784**, introduced by Holliday, Halligan, (By Request of the Department of State Lands). Referred to Committee on Natural Resources.

- HB 785**, introduced by Addy, McCormick, Holliday, Menahan, J.K. Moore, Manning. Referred to Committee on State Administration.
- HB 786**, introduced by Nathe, E. Smith. Referred to Committee on Natural Resources.
- HB 787**, introduced by Hayne, Goodover, Spaeth, Thayer, Ellison, Keating, Iverson, Shaw, Gage, Tveit, Switzer, Gilbert, Aklestad, Cobb, E. Smith, Keller, Hand, Manuel. Referred to Committee on Taxation.
- HB 788**, introduced by Simon, Kitselman, Hannah, Schultz, Hager, Garcia, Winslow, Ramirez, Driscoll, O'Hara, Glaser, Montayne. Referred to Committee on State Administration.
- HB 789**, introduced by Abrams, Donaldson, Schye, Harbin, Ellison, Devlin, Zabrocki, Pavlovich, Spaeth, Holliday, Schultz, Hanson, Fritz, Patterson, Nathe, Koehnke, McCormick, Ernst. Referred to Committee on Fish and Game.
- HB 790**, introduced by Ramirez. Referred to Committee on Judiciary.
- HB 800**, introduced by Harp, Devlin, M. Williams, (By Request of the House Taxation Committee). Referred to Committee on Taxation.
- HJR 24**, introduced by Raney, Nathe, Devlin, Miles, Cohen, Cody, Krueger, Blaylock, Daniels, Keyser, Harbin, Montayne, Darko, J. Moore, Bardanouve, Rehberg, Schye, Regan, Kadas, Cobb, Asay, Harper, Eck, Manning, Mohar, Bengtson, Donaldson, Haffey, B. Williams, Harp, Ream, Conover, Yellowtail, Keller, Stimatz, Driscoll, Lane, Abrams, Weeding, Holliday. Referred to Committee on Judiciary.
- HJR 25**, introduced by Swift, Severson, Marks, J.K. Moore, Goodover, Brandewie, Thomas, Campbell, Nathe, Phillips, Cobb, Thoft, Grady, Devlin, Crippen, B. Williams, Harp, Hannah, Keyser, Farrell, Abrams, B. Brown, C. Smith, Jones, Anderson, Hirsch, Shaw, Stephens, Lane, Boylan, E. Smith, Hand, Koehnke, Ream. Referred to Committee on Natural Resources.
- HJR 26**, introduced by Connelly, Spaeth, Kadas, C. Smith, Jones, Lybeck, B. Brown, J. Brown, Pistoria, Kitselman, Miles, Nelson. Referred to Committee on Education and Cultural Resources.
- HR 2**, introduced by Harp, Devlin, M. Williams, (By Request of the House Taxation Committee). Referred to Committee on Taxation.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 12:00 p.m., February 12, 1985.

Motion carried.

House adjourned at 3:27 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

THIRTY-SECOND LEGISLATIVE DAY

Helena, Montana
February 12, 1985

House Chambers
State Capitol

House convened at 12:00 p.m., Mr. Speaker in the Chair. Invocation by Father Jim Reeves. Pledge of Allegiance to the Flag.

Roll call. All members present except Abrams, Campbell, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the thirty-first legislative day, find the same to be correct.

Menahan, Chairman

COMMUNICATIONS AND PETITIONS

The House of Representatives was honored today by a visit from the 16th President of the United States, Mr. Abraham Lincoln. Representative Marks escorted President Lincoln to the rostrum where he gave the following address: (Representative Harry Fritz portrayed President Lincoln in top hat, coat and tails.)

Mr. Speaker:

Thank you, friends, for inviting me here today, on the occasion of my 176th birthday. It's a real pleasure to address the House of the sovereign State of Montana, for on May 26, 1864, I had the distinct honor of autographing the enabling act which created the territory of Montana.

I was born, you know, in the year eighteen hundred and nine, in a little place near Crazy Creek in the State of Kentucky. Two score and sixteen years later, I came to an untimely end in a place called Ford's Theatre in Washington, D.C. I haven't liked actors ever since.

In the interim, I moved to Indiana, and then to Illinois. I was successively a farmer, a flatboatman, a railsplitter, a grocery clerk, a postman, a lawyer, a legislator, a Congressman, and the 16th President of the United States.

I must have done something right. My current successor in that last office was gracious enough to say, in his 1st Inaugural Address, that "Whoever would understand in his heart the meaning of America will find it in the life of Abraham Lincoln". I remember Ronnie when he was a little boy. I wish him well.

But it's a pleasure to be here with you today, because in public life, like you, I was a politician. Like all politicians, I quickly learned the secret of life—the ability to divide by two and add one. I always viewed politics as the Chosen Profession, because we politicians are called upon to help the people solve their problems—some of which we impose upon them.

And it's no easy task to keep the trust of the common people. But it puts us on the side of the righteous. "The Lord prefers common people. That is the reason he makes so many of them."

"If you once forfeit the confidence of your fellow citizens, you can never regain their respect and esteem. It is true that you may fool all the people some of the time; you can even fool some of the people all of the time; but you can't fool all the people all the time." It's a legislative maxim, and I learned it in the same kind of chambers you have here.

I look back on the four terms I served in the Illinois Legislature as the formative years of my life. Not that we were without harebrained schemes. We even moved the capitol of Illinois. Once, I proposed to have Illinois buy up twenty million acres of federal land within her borders at 25¢ an acre, then sell it off at a dollar twenty-five an acre. It was an intriguing little rebellion, which the Illinois Legislature warmly adopted, but it carried about as much weight in Congress as a joint resolution.

Even then we were given to winning friends at home by blaming our troubles on the federal government. I look back almost with embarrassment at one of my more purple passages. "I know," I cried, "that the great volcano at Washington, aroused and directed by the evil spirit that reigns there, is belching forth the lava of political corruption, in a current broad and deep, which is sweeping with frightful velocity over the whole length and breadth of the land."

Of course, my opponents were then in power. Things changed when we Republicans got there.

(I might also add that when I was in the State Legislature, I was a consistent supporter of expanded aid to public education, and I commend that cause to you now.)

But even us state legislators had to make a living, and I earned mine as a lawyer.

You know what they say about us lawyers—we get paid to find the other side of a one-sided question.

A lawyer is a man who can compress the most words into the smallest ideas.

But, fellow citizens, lawyers did not save the Union—soldiers did. Those were momentous times, indeed. But the issues you face today demand no less commitment on your part.

I remember one time I was riding circuit in Illinois on a bitter cold winter day, and I arrived at a tavern to find a group of fellow lawyers huddled in front of the fireplace.

"Pretty cold night," one man commented. "Colder than hell," I replied. "You've been there, Mr. Lincoln," another said. "Oh yes," I answered. "And the funny thing is it's much like it is here—all the lawyers are nearest the fire."

But practicing law at least kept food on the table when I was out of office. And I lost nearly as many races as I won. When Judge Douglas whipped me for the U.S. Senate in 1858, "I felt like the little boy that stubbed his toe. It hurt too bad to laugh, but he was too big to cry."

And during one campaign a Democrat approached me and said, "So you're Abe Lincoln." "Yes, that's my name." "They say you're a self-made man." "Well, yes; what there is of me is self-made." "Well all I've got to say" - he looked me up and down - "is that it was a damned bad job."

And when I was elected President, I spent most of my time dealing with job seekers. It reminded me of the old king who was going hunting one day with all his court. He met a farmer on the road. The farmer told the king it was going to rain. But the king's astrologer didn't think so. About an hour later there came a cloudburst that proved the farmer right, so the king cut off the astrologer's head, sent for the farmer and offered him the vacant office.

"It ain't me that knows when it's going to rain," he said, "It's my jackass. He lays his ears back."

"Then your jackass is hereby appointed court astrologer," said the king. And afterwards he realized it was the biggest mistake of his life, because every jackass in the country wanted an office.

That's like my General, Ulysses S. Grant. Despite the fact that he won every battle he fought, his detractors told me he drank too much. "Find out what he drinks," I ordered, "and send a barrel of it to my other generals."

But, my fellow politicians, the times in which I served were not humorous. We were engaged in a great civil war, testing whether this nation, or any nation, conceived in liberty and dedicated to the proposition that all men are created equal, could long endure. Six hundred thousand people died that this nation might, under God, have a new birth of freedom, and that government of the people, by the people, and for the people, shall not perish from the earth.

I cannot solve the great issues of today. But I cannot refrain from remarking that armies need not march to solve them. "In your hands, my dissatisfied fellow citizens, and not in mine, is the momentous issue of civil war." You must resolve the problems of your generation with all resources at your command, and you must resolve them peaceably. "Though passion may have strained, it must not break our bonds of affection." As I told the nation's legislators in 1862:

"Fellow citizens, we cannot escape history. We of this Congress and this administration, will be remembered in spite of ourselves. No personal significance, or insignificance, can spare one or another of us. The fiery trial through which we pass, will light us down, in honor or dishonor, to the latest generation. We say we are for the Union. The world will not forget that we say this. We know how to save the Union. The world knows we do know how to save it. We—even we here—hold the power and bear the responsibility. In giving freedom to the slave, we assure freedom to the free—honorable alike in what we give, and what we preserve. We shall nobly save, or meanly lose, the last, best hope of earth.

Fellow citizens, we have but one guide before us. It is that provided for us by our revolutionary forebears. "It is a struggle for maintaining in the world, that form, and substance of government, whose leading object is, to elevate the condition of men—to lift artificial weights from all shoulders—to clear the paths of laudable pursuit for all."

"I am loth to close. We are not enemies, but friends. We cannot be enemies."

"With malice toward none; with charity for all; with fairness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle and for his widow, and his orphan—to do all which may achieve and cherish a just, and a lasting peace, among ourselves, and with all nations."

Fellow citizens, I bid you an affectionate farewell.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/11/85

Correctly printed: HB 300, HB 328, HB 434, HB 443, HB 457, HB 465, HB 470, HB 505, HB 523, HB 535, HB 550, HB 575, HB 596, HB 600, HB 612, HB 614, HB 644, HJR 18.

Considered correctly engrossed: HB 186, HB 256, HB 401, HB 416,
HB 432, HB 453, HB 467, HB 468.
Correctly engrossed: HB 33, HB 482.

2/12/85

Considered correctly engrossed: HB 531, HB 639.
Correctly engrossed: HB 625, HB 633.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Schultz, Chairman):
2/11/85

HB 621, introduced bill, be amended as follows:

1. Page 11, line 24.
Strike: "or warehouseman"

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 621

This statement of intent is required because rulemaking authority is granted to the department of agriculture in sections 1 through 3.

It is the intent of the legislature that the department of agriculture adopt rules to establish alternatives to bonds required for licensing of commodity dealers and warehousemen. The legislature intends that a certificate of deposit, an irrevocable letter of credit, or other similar financial assurance be given, with no right to withdraw the financial assurance without the approval of the department, in order to be an acceptable bond alternative.

It is the intent of the legislature that the bond be given to obligate the surety for only the face amount of the bond regardless of the number of licensing periods for which it continues in effect, unless the department requires an additional bond amount. Likewise, the alternative to the bond must be an amount not to be increased unless changes in operation require additional coverage. Upon termination of the license, the bond alternative may not be released by the department until the statute of limitations has run on the types of claims that could be made or until it can be demonstrated that no claims exist that may be made against it.

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman):
2/11/85

HB 405, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 405

A statement of intent is required for this bill because it grants the superintendent of public instruction and the department of social and rehabilitation services rulemaking authority in section 3. It is intended that the superintendent of public instruction and the department adopt rules establishing eligibility criteria by which to determine those moderately or severely handicapped preschool children entitled to early intervention services under this bill. The criteria must focus on disabilities that can be expected to continue indefinitely and that cause a substantial delay in a child's development and ability to function in society.

In addition, the superintendent of public instruction and the department shall adopt rules for:

- (1) mediation of disputes concerning eligibility for or appropriateness of services in individual cases;
- (2) the conduct of hearings relating to eligibility or appropriateness; and

(3) any other due process or procedural requirements that may result from the implementation of this bill.

To the extent possible, the rules must comply with the rules adopted by the superintendent of public instruction for the conduct of special education programs as required by 20-7-402.

HUMAN SERVICES AND AGING (Keenan, Chairman):

2/8/85

HB 579, introduced bill, be amended as follows:

1. Title, line 8.

Following: line 7

Strike: "CERTIFICATION"

Insert: "CONFIRMATION"

2. Title, line 11.

Following: "COMMUNITY"

Insert: "; AND PROVIDING RULEMAKING AUTHORITY"

3. Page 2, lines 6 and 7.

Following: "disorder"

Strike: "and certification"

Insert: ". The professional person must then obtain confirmation"

4. Page 2, line 14.

Following: "~~region~~."

Insert: "The department shall adopt rules to establish a procedure whereby a professional person shall obtain the confirmation from a community mental health center as required in this section."

5. Page 3, lines 1 through 4.

Strike: section 2 in its entirety

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 579

A statement of intent is required for this bill because it contains a delegation of authority, as defined in 5-4-403, providing the department of institutions statutory authorization to adopt rules to implement the provisions of the bill requiring confirmation that adequate treatment and evaluation are unavailable in the community.

The legislature contemplates that the department's rules will define the confirmation process in such a way as to provide adequate screening of voluntary admissions to the state hospital without creating an undue delay in meeting the needs of patients.

Specifically, the department should adopt rules that will address:

(1) the qualifications of community mental health staff who may confirm voluntary admissions;

(2) the procedure to be used in receiving confirmation from a community mental health center;

(3) the information about the patient and his treatment needs that must be communicated to the community mental health center by the professional person seeking confirmation;

(4) the method used by the mental health center to document the confirmation provided; and

(5) any other reasonable consideration not inconsistent with the purpose of this bill.

HB 605, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 605

This bill requires a statement of intent because it grants the department of institutions rulemaking authority to develop standards for chemical dependency educational courses, provided by state-approved treatment programs, for driving-under-the-influence and minors-in-possession offenders who are sentenced by law to complete these courses. The bill will also allow the department to certify course instructors and inspect these courses to ensure compliance with standards.

These courses are presently being provided by state-approved chemical dependency treatment programs, but without consistent standards or approval processes. The rules should address the following:

- (1) minimum training and certification standards for course instructors;
- (2) procedures to justify costs of courses and fees charged;
- (3) minimum screening, assessment, and evaluation criteria;
- (4) minimum criteria for course curriculum content;
- (5) minimum required hours and length of participation to complete the courses;
- (6) minimum recordkeeping and reporting requirements;
- (7) policies and procedures for the operation of the courses, including a course evaluation process; and
- (8) evaluation and recommendation suggestions that the courts may use for initial and repeat offenders.

LOCAL GOVERNMENT (Darko, Chairman):

2/12/85

Adverse Committee Reports

HB 255, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: D. Brown, Connelly, Kadas, Pistoria, Spaeth.

Total 5

Excused: Abrams, Campbell.

Total 2

Absent or not voting: Ellerd, Fritz, Hannah, Sands.

Total 4

HB 683 - Representatives Connelly, Spaeth, Lory, Quilici, Peck, J.K. Moore, Harper, Hand, Donaldson, Swift, Iverson, Pistoria, Koehnke, Jenkins, D. Brown, Switzer, Nelson, Hansen, Poff, and Kadas objected to the adverse committee report on HB 683, and requested that the bill be printed and placed on second reading.

2/12/85

TAXATION (Devlin, Chairman):

2/12/85

HB 800, do pass. Report adopted.

HJR 21, do pass. Report adopted.

HR 2, do pass. Report adopted.

Adverse Committee Report

HB 617, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanoue, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 90

Noes: Cobb, Connelly, Hammond, Kadas, Marks, Nathe, Ream.
Total 7

Excused: Abrams, Campbell.
Total 2

Absent or not voting: Ellerd.
Total 1

MESSAGES FROM THE OTHER HOUSE

House bill not concurred in as amended and returned to the House: 2/11/85

HB 285, introduced by Lory

Senate bills passed and transmitted to the House for concurrence: 2/11/85

SB 33, introduced by Severson, Switzer

SB 48, introduced by Towe, M. Williams

MOTIONS

Representative Lory moved that HB 633 be taken from engrossing and referred to the Committee on Appropriations. Motion carried.

Representative J. Brown moved that HB 444 be placed below HB 443, second reading today. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Keenan in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 460 - That HB 460 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson,

Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Hart.

Total 1

Excused: Abrams, Campbell.

Total 2

Absent or not voting: Bardanouve, Marks.

Total 2

HB 681 - Representative J. Brown moved that HB 681 do pass. Representative Winslow made a substitute motion that HB 681 be placed below HB 300 for the purpose of amendment. Motion carried.

HB 300 - That HB 300 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Abrams, Campbell.

Total 2

Absent or not voting: Bardanouve.

Total 1

HB 681 - Representative Winslow moved that HB 681 be placed below HB 444. Motion carried.

Representative Campbell present at this time.

HB 328 - That HB 328 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson,

Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Asay, Harbin.

Total 2

Excused: Abrams.

Total 1

Absent or not voting: Harp.

Total 1

HB 434 - Representative Schye moved that HB 434 do pass. Representative Marks made a substitute motion that HB 434 do not pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Harbin, Harp, Jones, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, Nathe, Nelson, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rehberg, Sales, Sands, Simon, Smith, Swift, Thoft, Wallin, Winslow.

Total 54

Noes: Abrams, Addy, Asay, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Fritz, Hansen, Hanson, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Manuel, Montayne, J. Moore, Nisbet, O'Hara, Patterson, Poff, Rapp-Svrcek, Ream, Schultz, Schye, Spaeth, Switzer, Thomas, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 46

Paired: Krueger, Aye; Abrams, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Waldron excused at this time.

HB 443 - Representative Keyser moved that HB 443, second reading copy, be amended. Motion failed. (40-55)

That HB 443 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici,

Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Campbell, Garcia, Jenkins.

Total 3

Excused: Abrams, Waldron.

Total 2

Absent or not voting: None.

Total 0

HB 444 - That HB 444 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Garcia.

Total 1

Excused: Abrams, Waldron.

Total 2

Absent or not voting: Quilici, Smith.

Total 2

HB 681 - Representative Winslow moved that HB 681, second reading copy, be amended as follows:

1. Title, line 6.

Insert: stricken material

2. Page 3, line 6.

Strike: “.”

Insert: “;”

3. Page 3, line 9.

Insert: stricken subsection (i)

4. Page 3.

Following: line 9

Insert: “(3) For the purposes of this act, the term “general physical condition” is limited to a description of the condition as “satisfactory”, “serious”, or “critical”.”

Amendment passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson,

Jenkins, Kadas, Keenan, Kennerly, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Spaeth, Switzer, Thoft, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 79

Noes: Bachini, Bergene, Cobb, Connelly, Ellerd, Gilbert, Glaser, Gould, Hannah, Jones, Keller, Kitselman, Patterson, Poff, Sales, Smith, Swift, Thomas.
Total 18

Excused: Abrams, Waldron.
Total 2

Absent or not voting: Hayne.
Total 1

Representative Sands moved that HB 681 be placed below HB 457.
Motion carried. (59-35)

HB 457 - That HB 457 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Abrams, Waldron.
Total 2

Absent or not voting: Eudaily, Kadas.
Total 2

Representative Waldron present at this time.

HB 681 - Representative Hannah moved that Representative Winslow's amendment to HB 681, second reading this day, be amended.
Motion failed. (33-64)

That HB 681, as amended, do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, J. Brown, Cody, Cohen, Darko, Donaldson, Driscoll, Ellison, Ernst, Fritz, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Krueger, McCormick, Manuel, Menahan, Miles, Miller, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands,

Schultz, Schye, Simon, Spaeth, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 65

Noes: Asay, Bergene, Brandewie, D. Brown, Campbell, Cobb, Compton, Connelly, Devlin, Ellerd, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hannah, Jones, Keyser, Kitselman, Koehnke, Lory, Marks, Mercer, Montayne, J.K. Moore, Patterson, Poff, Sales, Smith, Swift, Switzer, Thoft, Thomas.

Total 34

Excused: Abrams.

Total 1

Absent or not voting: None.

Total 0

HB 465 - That HB 465 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 80

Noes: Campbell, Cobb, Cody, Devlin, Ellison, Hannah, Hanson, Hayne, Jenkins, Keller, Keyser, J.K. Moore, Nathe, Peck, Sales, Swift, Switzer, Thoft.

Total 18

Excused: Abrams.

Total 1

Absent or not voting: Ellerd.

Total 1

HB 470 - Representative Spaeth moved that HB 470 be placed below HB 550. Motion carried.

HB 505 - That HB 505 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: J. Moore, Swift, Thoft.

Total 3

Excused: Abrams.

Total 1

Absent or not voting: None.

Total 0

Representative Fritz excused at this time.

HB 523 - That HB 523 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bradley, D. Brown, J. Brown, Cody, Cohen, Compton, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Garcia, Hammond, Hand, Hannah, Hansen, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Kennerly, Koehnke, Krueger, Lory, McCormick, Menahan, Mercer, Miles, Montayne, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Sands, Schultz, Schye, Simon, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 63

Noes: Asay, Bergene, Brandewie, Campbell, Cobb, Devlin, Ellerd, Gilbert, Glaser, Gould, Grady, Hanson, Harp, Jones, Keller, Keyser, Kitselman, Manuel, Marks, Miller, J.K. Moore, Nelson, Patterson, Phillips, Rehberg, Sales, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 33

Excused: Abrams, Fritz.

Total 2

Absent or not voting: Bardanouve, Connelly.

Total 2

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Keenan moved the adoption of the committee report. Report adopted. (90-4)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 33 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Thomas, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 88

Noes: Campbell, Hannah, Harbin, Nathe, Peterson, Swift, Switzer, Thoft, Wallin.

Total 9

Excused: Abrams, Fritz.

Total 2

Absent or not voting: Connelly.

Total 1

HB 86 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Thomas.

Total 1

Excused: Abrams, Fritz.

Total 2

Absent or not voting: Connelly.

Total 1

HB 107, Governor's amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Hannah, Keyser, J.K. Moore, Sales.

Total 4

Excused: Abrams, Fritz.

Total 2

Absent or not voting: Connelly.

Total 1

HB 168 passed as follows:

Ayes: Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara,

Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Wallin.

Total 1

Excused: Abrams, Fritz.

Total 2

Absent or not voting: Bardanouve, Connelly.

Total 2

HB 171 passed as follows:

Ayes: Addy, Asay, Bachini, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 86

Noes: D. Brown, Garcia, Grady, Hammond, Howe, Kennerly, Nathe, Rapp-Svrcek, Zabrocki.

Total 9

Excused: Abrams, Fritz.

Total 2

Absent or not voting: Bardanouve, Connelly, Hand.

Total 3

HB 186 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, Cody, Cohen, Darko, Driscoll, Eudaily, Garcia, Gould, Hammond, Hand, Hansen, Harrington, Hart, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Rapp-Svrcek, Ream, Sands, Schye, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 53

Noes: Asay, Brandewie, J. Brown, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Gilbert, Glaser, Grady, Hannah, Hanson, Harbin, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Marks, J.K. Moore, Nathe, Nelson, Patterson, Ramirez, Raney, Rehberg, Sales, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas.

Total 44

Excused: Abrams, Fritz.

Total 2

Absent or not voting: Connelly.

Total 1

HB 230 passed as follows:

Ayes: Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 82

Noes: Addy, Bardanouve, Cody, Cohen, Connelly, Ellison, Garcia, Gilbert, Keenan, Krueger, Miles, Nisbet, Peck, Peterson, Schye, Zabrocki.

Total 16

Excused: Abrams, Fritz.

Total 2

Absent or not voting: None.

Total 0

HB 245 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Abrams, Fritz.

Total 2

Absent or not voting: Quilici.

Total 1

HB 256 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria,

Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Abrams, Fritz.

Total 2

Absent or not voting: None.

Total 0

HB 284 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nisbet, O'Connell, O'Hara, Patterson, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Brandewie, D. Brown, Driscoll, Ellerd, Harp, Jones, Krueger, Montayne, Nathe, Nelson, Pavlovich, Peterson, Sales, Smith, Waldron, Wallin, Zabrocki.

Total 17

Excused: Abrams, Fritz.

Total 2

Absent or not voting: None.

Total 0

HB 339 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Garcia, J. Moore, Peck, Pistoria.

Total 4

Excused: Abrams, Fritz.

Total 2

Absent or not voting: None.

Total 0

HB 353 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Abrams, Fritz.

Total 2

Absent or not voting: None.

Total 0

HB 379 passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Eudaily, Garcia, Gilbert, Gould, Hammond, Hannah, Hansen, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 79

Noes: Addy, Campbell, Cobb, Cody, Ellison, Ernst, Glaser, Hand, Harper, Howe, Koehnke, Miles, J.K. Moore, Nathe, Patterson, Pistoria, Schultz, Schye.

Total 18

Excused: Abrams, Fritz.

Total 2

Absent or not voting: Grady.

Total 1

HB 394 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Krueger, Lory, McCormick, Marks, Menahan, Miles, Miller, Montayne, Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Ream, Sales, Sands, Schye, Simon, Smith, Waldron, Wallin, Williams, Mr. Speaker.

Total 69

Noes: Cobb, Cody, Devlin, Glaser, Hannah, Hanson, Harp, Jones, Keyser, Koehnke, Manuel, Mercer, J.K. Moore, J. Moore, Nathe, O'Hara, Patterson, Peck, Ramirez, Rapp-Svrcek, Rehberg, Schultz, Spaeth, Swift, Switzer, Thoft, Thomas, Winslow, Zabrocki.

Total 29

Excused: Abrams, Fritz.

Total 2

Absent or not voting: None.

Total 0

HB 401 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Hannah, Montayne.

Total 2

Excused: Abrams, Fritz.

Total 2

Absent or not voting: None.

Total 0

HB 416 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Abrams, Fritz.

Total 2

Absent or not voting: None.

Total 0

HB 424 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Abrams, Fritz.

Total 2

Absent or not voting: None.

Total 0

HB 432 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Abrams, Fritz.

Total 2

Absent or not voting: None.

Total 0

HB 453 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Campbell, Glaser, Sales, Swift.

Total 4

Excused: Abrams, Fritz.

Total 2

Absent or not voting: None.

Total 0

HB 463 passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Menahan, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 80

Noes: Addy, D. Brown, Connelly, Darko, Driscoll, Hammond, Hansen, Harper, Kadas, Kennerly, Krueger, McCormick, Miles, Montayne, Ream, Schye, Spaeth, Zabrocki.

Total 18

Excused: Abrams, Fritz.

Total 2

Absent or not voting: None.

Total 0

HB 464 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: D. Brown, Connelly, Darko, Driscoll, Hammond, Harper, Harrington, Kennerly, Krueger, Ream, Schye.

Total 11

Excused: Abrams, Fritz.

Total 2

Absent or not voting: None.

Total 0

HB 467 passed as follows:

Ayes: Asay, Bergene, Bradley, Brandewie, Campbell, Cobb, Compton, Darko, Devlin, Donaldson, Ellerd, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, O'Hara, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 64

Noes: Addy, Bachini, Bardanouve, D. Brown, J. Brown, Cody, Cohen, Connelly, Driscoll, Ellison, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Hart, Kadas, Krueger, Menahan, Miles, Montayne, Nisbet, O'Connell, Pavlovich, Pistoria, Poff, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams.

Total 34

Excused: Abrams, Fritz.

Total 2

Absent or not voting: None.

Total 0

HB 468 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Campbell, Ellison, Hanson, Keyser, Nathe.

Total 5

Excused: Abrams, Fritz.

Total 2

Absent or not voting: None.

Total 0

HB 482 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Darko, Devlin, Driscoll, Ellison, Ernst, Eudaily, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 90

Noes: Bradley, Campbell, Compton, Donaldson, Ellerd, Glaser, Hart, Sales.

Total 8

Excused: Abrams, Fritz.

Total 2

Absent or not voting: None.

Total 0

HB 488 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Bradley, Hansen.

Total 2

Excused: Abrams, Fritz.

Total 2

Absent or not voting: Cody.

Total 1

HB 532 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Smith, Spaeth, Swift, Switzer, Thoft, Waldron, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 87

Noes: Asay, Bergene, Cobb, Harbin, Keller, Keyser, Ramirez, Raney, Simon, Thomas, Winslow.

Total 11

Excused: Abrams, Fritz.

Total 2

Absent or not voting: None.

Total 0

HB 547 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Abrams, Fritz.

Total 2

Absent or not voting: None.

Total 0

HB 602 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Abrams, Fritz.

Total 2

Absent or not voting: Peck.

Total 1

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/12/85

Correctly printed: HB 683, HB 800, HJR 21, HR 2.

Correctly enrolled: HB 77, HB 148.

Examined by the sponsor (Williams) and found to be correct: HB 77.

Examined by the sponsor (Manuel) and found to be correct: HB 148.

NATURAL RESOURCES (Iverson, Chairman):

2/11/85

HB 695, introduced bill, be amended as follows:

1. Title, lines 5 through 10.

Strike: "COUNTY-OPERATED" on line 5 through "LANDS" on line

Insert: "COUNTIES FROM SUBMITTING ANNUAL RECLAMATION PROGRESS REPORTS ON GRAVEL MINES THAT WERE NOT OPERATED DURING THE PRIOR REPORTING YEAR"

2. Page 3, line 25.

Strike: "(1)"

Renumber: subsequent subsections

3. Page 6, line 12.

Following: "board"

Insert: ", except that counties are exempt from submitting annual reports on opencut mines that were not operated during the prior reporting year"

4. Page 8, lines 18 through 20.

Strike: subsection (2) in its entirety

5. Page 8, line 21 through page 9, line 20.

Strike: section 3 in its entirety

Renumber: subsequent section

6. Page 9, line 25 through page 10, line 3.

Strike: section 5 in its entirety

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

2/12/85

HB 274, introduced bill, be amended as follows:

1. Title, line 5.

Following: ","

Insert: "REMOVING THE COMPULSORY RETIREMENT AGE FOR STATE GAME WARDENS;"

2. Title, line 8.

Strike: "AND EMPLOYER"

3. Title, line 10.

Strike: "19-8-504,"

4. Page 1, line 23.

Strike: subsection (2) in its entirety

Renumber: subsequent subsection

5. Page 2.

Following: line 21

Strike: " %"

Insert: "7.9%"

6. Page 2, line 24 through line 8, page 3.

Strike: section 4 in its entirety

Renumber: subsequent sections

7. Page 3, lines 13 through 20.

Strike: section 6 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 288, introduced bill, be amended as follows:

1. Title, line 8.

Strike: "AND"

2. Title, line 16.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 27, line 6.

Strike: "65"

Insert: "67"

4. Page 27, line 13.

Strike: "65"

Insert: "67"

Strike: "60"

Insert: "62"

5. Page 39.

Following: line 25

Insert: "NEW SECTION. Section 42. Effective date. This act is effective January 1, 1986."

And, as amended, do pass. Report adopted.

HB 501, do pass. Report adopted.

HB 724, do pass. Report adopted.

HB 732, do pass. Report adopted.

Adverse Committee Reports

HB 243, do not pass.

HB 262, do not pass.

HB 725 - Representatives Sales, Garcia, O'Connell, Fritz, Cody, Harbin, Bardanouve, Addy, Raney, Bradley, Kadas, Spaeth, Vincent, Eudaily, Cohen, Waldron, Bergene, J.K. Moore, Peck, and Bachini objected to the adverse committee report on HB 725, and requested that the bill be printed and placed on second reading. 2/12/85

TAXATION (Devlin, Chairman):

2/12/85

HJR 9, introduced bill, be amended as follows:

1. Title, line 9.

Following: "CONSTITUTION"

Insert: "; ACCEPTING A JUNE 30, 1984, GENERAL FUND BALANCE THAT WAS ESTABLISHED BASED ON GENERALLY ACCEPTED ACCOUNTING PRINCIPLES; URGING AGENCIES TO MAKE TIMELY ACCOUNTING ENTRIES IN ACCORDANCE WITH GENERALLY ACCEPTED ACCOUNTING PRINCIPLES; REQUESTING THE GOVERNOR'S OFFICE OF BUDGET AND PROGRAM PLANNING TO USE THE REVENUE ESTIMATES CONTAINED IN THIS RESOLUTION AS OFFICIAL REVENUE ESTIMATES FOR FISCAL YEARS 1985-86 AND 1986-87; AND ESTABLISHING AN ESTIMATE OF THE NONGENERAL FUND REVENUES FOR THE SCHOOL FOUNDATION PROGRAM"

2. Page 2, line 16.

Following: "to total"

Strike: "\$767,532,000"

Insert: "\$748,148,295"

3. Page 2, line 21.

Following: "period"

Insert: "and an assumption of a continuation of Montana law as it existed on January 1, 1985"

4. Page 2, lines 24 and 25.

Following: "about" on line 24

Strike: "6% during the biennium"

Insert: "4% for 1985, 5.2% for 1986, and 5.4% for 1987,"

5. Pages 2 and 3.

Following: "drift" on line 25, page 2

Strike: remainder of line 25 through "1987" on line 1, page 3

Insert: "downward during the biennium"

6. Page 3.

Strike: line 11 in its entirety

Insert: "\$115,000,000 \$124,000,000 \$133,000,000 \$257,000,000"

7. Page 3, line 17.

Following: "also"

Insert: "include the effects of federal income tax indexing, assume a continuation of Montana law as it existed on January 1, 1985, and"

Following: "are"

Insert: "otherwise"

8. Page 3.

Following: "credits." on line 18

Strike: remainder of lines 18 through 20

9. Page 4.

Following: line 2

Strike: line 3 in its entirety

Insert: "\$17,385,000 \$19,152,000 \$17,877,024 \$37,029,024"

10. Page 4, line 20.

Following: "estimates."

Insert: "The revenue estimates are further based on the following assumptions of production and price:

Tons of Coal

30,500,000	32,000,000	33,000,000	65,000,000
------------	------------	------------	------------

Price per Ton

\$10.00	\$10.50	\$10.80	NA"
---------	---------	---------	-----

11. Page 4.

Following: line 21

Strike: line 22 in its entirety

Insert: "\$31,680,000 \$24,500,000 \$23,833,333 \$48,333,333"

12. Page 5, line 2.

Following: "demand."

Strike: "Although"

Insert: "Because a worldwide surplus of oil and because"

13. Page 4, lines 5 through 10.

Following: "prices" on line 5

Strike: remainder of line 5 through line 10

Insert: "and production will decrease slightly throughout the biennium. The revenue estimates for oil severance taxes are further based on the following assumptions of price and production:

Barrels of Oil

28,800,000	28,000,000	27,500,000	55,500,000
------------	------------	------------	------------

Price per Barrel

\$27.50	\$26.25	\$26.00	NA"
---------	---------	---------	-----

14. Page 5.

Following: line 11

Strike: line 12 in its entirety

Insert: "\$25,505,417 \$22,635,417 \$22,083,333 ; \$44,718,750"

15. Page 5, line 16.

Following: "notes"

Insert: "in the amount of \$38,000,000"

Following: "year."

Insert: "It is further anticipated that \$50,000,000 in tax anticipation notes will be sold in fiscal year 1986 and in fiscal year 1987."

16. Page 5, line 18.

Following: "account."

Insert: "The projected rates of return are 10.25% for fiscal year 1985, 10.25% for fiscal year 1986, and 10.00% for fiscal year 1987. The estimated revenues from interest on investments are based on the anticipated daily average investable amounts of \$214,000,000 in fiscal year 1985, \$175,000,000 in fiscal year 1986, and \$175,000,000 in fiscal year 1987."

17. Page 5.

Following: line 19

Strike: line 20 in its entirety

Insert: "\$37,634,000 \$38,311,000 \$40,261,000 \$78,572,000"

18. Pages 5 and 6.

Following: "tax." on line 24, page 5

Strike: remainder of line 24 through line 1, page 6

19. Page 6, line 2.

Following: line 1

Strike: "Assumption"

Insert: "Assumptions"

20. Page 6, line 4.

Following: "1987."

Insert: "It is further assumed that cigarette sales for fiscal years 1985, 1986, and 1987 will be 90 million packs each year. Revenue from tobacco sales is expected to be \$825,000 for each fiscal year."

21. Page 6.

Following: line 5

Strike: line 6 in its entirety

Insert: "\$24,155,000 \$28,807,000 \$33,736,000 \$62,543,000"

22. Page 6, line 22.

Following: "1986"

Insert: " , then fall slightly for 1987. The anticipated interest rates on new long-term investments for 1985, 1986, and 1987 are 12.00%, 12.00%, and 11.75%, respectively"

23. Page 6.

Following: line 23

Strike: line 24 in its entirety

Insert: "\$15,700,000 \$16,195,000 \$16,737,000 \$32,932,000"

24. Page 7, line 1.

Following: "about"

Strike: "8%"
Insert: "5.5%"

25. Page 7.

Following: line 4

Strike: line 5 in its entirety

Insert: "\$12,893,000 \$14,800,000 \$15,300,000 \$30,100,000"

26. Page 7.

Following: line 16

Strike: line 17 in its entirety

Insert: "\$4,850,000 \$5,250,000 \$5,200,000 \$10,450,000"

27. Page 7.

Following: line 18

Strike: line 19 in its entirety

Insert: "\$6,110,000 \$6,322,500 \$6,387,000 \$12,709,500"

28. Page 7, line 25.

Following: "level."

Insert: "The revenue estimates for both liquor profits and excise taxes are further based on declines in unit sales of 3% for fiscal years 1986 and 1987, coupled with increases in prices of 6.5% in each of the fiscal years."

29. Page 8.

Following: line 1

Strike: line 2 in its entirety

Insert: "\$6,624,000 \$6,600,000 \$6,800,000 \$13,400,000"

30. Page 8, line 4.

Following: "on a"

Insert: "slight decrease from 1985 to 1986, then projected at a"

Strike: "6%"

Insert: "3%"

Following: "collections"

Insert: "for the remainder of the biennium"

31. Page 8.

Following: line 7

Strike: line 8 in its entirety

Insert: "\$1,660,000 \$1,000,000 \$1,000,000 \$2,000,000"

32. Page 8, lines 16 and 17.

Following: "will" on line 16

Strike: "increase modestly"

Insert: "remain constant"

33. Page 8, line 20.

Following: "1986."

Insert: "The revenue estimates further assume no reopening of the Black Pine mine near Philipsburg, Montana."

34. Page 8.

Following: line 21

Strike: line 22 in its entirety

Insert: "\$2,212,000 \$2,273,000 \$2,405,000 \$4,678,000"

35. Page 9.

Following: line 7

Strike: line 8 in its entirety

Insert: "\$861,000 \$880,000 \$899,000 \$1,779,000"

36. Page 9.

Following: line 13

Strike: line 14 in its entirety

Insert: "\$3,010,000 \$3,160,000 \$3,319,000 \$6,479,000"

37. Page 9.

Following: line 18

Strike: line 19 in its entirety

Insert: "\$1,175,000 \$1,146,000 \$1,096,000 \$2,242,000"

38. Page 9, line 21.

Following: line 20

Strike: "growth"

Insert: "decline"

39. Page 9, lines 21 and 22.

Following: "about" on line 21

Strike: remainder of line 21 through "1979" on line 22

Insert: "2.4% for fiscal years 1985 and 1986. The rate of decline changes to 4.4% for fiscal year 1987 due to the change in the minimum drinking age"

40. Page 9.

Following: line 23

Strike: line 24 in its entirety

Insert: "\$3,080,625 \$3,142,238 \$3,108,450 \$6,250,688"

41. Page 10, line 1.

Following: line 25 on page 9

Strike: "remain at current levels"

Insert: "decrease slightly"

42. Page 10, lines 2 and 3.

Following: line 1

Strike: "Prices are expected to increase only moderately despite deregulation of all new gas on January 1, 1985."

43. Page 10, lines 3 and 4.

Following: "Prices" on line 3

Strike: "will increase only moderately"

Insert: "are anticipated to remain constant"

44. Page 10, line 6.

Following: "Canada."

Insert: "The revenue estimates for natural gas severance taxes are further based on the following assumptions of production and price for fiscal years 1985, 1986, and 1987:

Millions of MCF

46.5	46.5	45.0	91.5
------	------	------	------

Price per MCF

\$2.50	\$2.55	\$2.55	NA"
--------	--------	--------	-----

45. Page 10, line 10.

Following: "about"

Strike: "6%"

Insert: "5.26%"

46. Page 10.

Following: line 19

Strike: line 20 in its entirety

Insert: "\$14,474,000 \$14,395,000 \$15,387,000 \$29,782,000"

47. Pages 10 and 11.

Following: "receipts." on line 24, page 10

Strike: remainder of line 24, page 10 through line 3, page 11

Insert: "The "other revenue sources" estimates are based on an average annual growth rate of 7%. Additionally, the fiscal year 1985 estimate includes a \$1,000,000 addition for federal reimbursement for fighting forest fires."

48. Page 11.

Following: line 4

Strike: line 5 in its entirety

Insert: "\$361,345,042 \$364,919,155 \$383,229,140 \$748,148,295"

49. Page 11, line 8.

Following: line 7

Strike: "Ending"

Insert: "Beginning"

50. Page 11, line 9.

Strike: "\$28,981,378"

Insert: "\$35,097,000"

51. Page 11.

Following: line 9

Insert: "NONGENERAL FUND SCHOOL FOUNDATION PROGRAM REVENUE

1986-87 Biennium

\$526,310,000

BE IT FURTHER RESOLVED, that the Legislature accepts for budget purposes the unreserved general fund balance of \$35,097,000 prepared according to generally accepted accounting principles (commonly referred to as G.A.A.P.) as published in the audited state financial statements as of June 30, 1984.

BE IT FURTHER RESOLVED, that the Department of Administration and other state agencies are strongly urged to make timely accounting entries so that by June 30, 1985, the state budgeting and accounting system (commonly referred to as SBAS) unreserved general fund balance reflects records entered and maintained in accordance with generally accepted accounting principles.

BE IT FURTHER RESOLVED, that the Governor's Office of Budget and Program Planning is strongly urged to enter the revenue estimates contained in this resolution on the statewide budgeting and accounting system as the official revenue estimates for the general fund for fiscal years 1985-86 and 1986-87."

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 791, introduced by Brandewie. Referred to Committee on Natural Resources.

- HB 792**, introduced by Garcia, J. Hammond, Marks, Ream, J. Moore, Phillips, Regan, Cody, Holliday, Keyser, Vincent, Peck, Bachini, McCormick, Eck, Christiaens, Bardanouve, O'Connell, M. Williams, Asay, Poff, Keenan, Jacobson, Harrington, Darko, Nisbet, Menahan, Blaylock, Quilici, Pavlovich, D. Brown, Driscoll, Abrams, Schultz, Harper, Addy, Brandewie, Kitselman, Iverson, Nathe, Harp, Spaeth, Fritz, Simon, Thomas, Glaser, Patterson, Winslow, Gilbert, Miller, Wallin, C. Smith, Bengtson, Yellowtail, Mazurek, Hirsch, Lybeck, Jones, Manning, Boylan, Peterson, Compton, Jenkins, Ramirez, Pistoria, Bradley, Campbell. Referred to Committee on State Administration.
- HB 793**, introduced by Keenan, Miles, Quilici, Menahan, Bergene, Darko, Harbin, Raney, J. Moore, Iverson, Schye, Bradley. Referred to Committee on Judiciary.
- HB 794**, introduced by Cobb, O'Hara, Keller, Rehberg, Brandewie. Referred to Committee on Judiciary.
- HB 795**, introduced by Compton, Jenkins, Cody, Nathe, Peck, Iverson, Gilbert, Phillips, C. Smith, Bardanouve, Bachini, Schye, Jones, Peterson. Referred to Committee on Judiciary.
- HB 796**, introduced by Quilici, Menahan, Donaldson, O'Connell. Referred to Committee on State Administration.
- HB 797**, introduced by Krueger. Referred to Committee on Judiciary.
- HB 798**, introduced by Miles, Krueger, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Human Services and Aging.
- HB 799**, introduced by M. Williams, Addy. Referred to Committee on Judiciary.
- HB 801**, introduced by Jenkins, Compton, Iverson. Referred to Committee on Judiciary.
- HB 802**, introduced by Addy, Fritz, Harbin, Halligan, Van Valkenburg, Hager, Bengtson, Lory, Kitselman, Simon. Referred to Committee on Appropriations.
- HB 803**, introduced by Peck. Referred to Committee on Judiciary.
- HB 804**, introduced by Addy, Keyser, Ramirez, Anderson. Referred to Committee on Local Government.
- HB 805**, introduced by Bergene, Marks, Bardanouve, Miller, C. Smith, Jones. Referred to Committee on Human Services and Aging.
- HB 806** introduced by O'Connell. Referred to Committee on State Administration.
- HB 807**, introduced by Hannah, Keating. Referred to Committee on Judiciary.
- HB 808**, introduced by Ramirez. Referred to Committee on Judiciary.
- HB 809**, introduced by Fritz, Daniels, (By Request of the Department of Justice). Referred to Committee on Judiciary.
- HB 810**, introduced by Bradley, J. Hammond, Cohen, Kadas, Miles, Abrams, Holliday, D. Brown, Connelly, Hansen, Iverson, Bergene, Van Valkenburg, Galt. Referred to Committee on Appropriations.
- HJR 27**, introduced by Nisbet, Cody, Darko, Fritz, Schye, Hirsch, Miller, Keenan, Harper, Peck, J. Moore, Kitselman, J. Brown, Harbin, Harrington, Kadas, D. Brown, Zabrocki, Rapp-Svrcek, Mohar, Cohen, Miles, Abrams, Nathe, Harp, O'Connell, Ream, Krueger, Holliday, Weeding, Montayne, Hansen, Campbell, Pavlovich, Blaylock, Driscoll, Bachini, Manning, B. Williams, Hand, Yellowtail, Connelly, McCallum, Kennerly, B. Brown, Boylan, Towe. Referred to Committee on Education and Cultural Resources.
- HJR 28**, introduced by Rapp-Svrcek, Asay, Keller, Peterson, Gilbert, Jenkins, Bardanouve, Schye, Cody, Cohen, Fritz, Holliday, Neuman,

Koehnke, Nathe, Yellowtail, Severson, McCallum, Conover, Weeding, Lybeck. Referred to Committee on Agriculture.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Ed Butcher, Montana N.F.O. President and Terry Murphy, Montana N.F.U. President invited all legislators to attend a Rally for Rural Americans tomorrow on the steps of the Capitol at 11:30 a.m. The rally will serve as an opportunity for rural Americans to express their needs for equitable returns for their labor and investment.

There will be a program tomorrow in the rotunda of the Capitol for State Student Lobby Day, beginning at 10:00 a.m. All interested legislators are urged to attend.

Representative Harper moved that the House adjourn until 12:00 p.m., February 13, 1985.

Motion carried.

House adjourned at 3:01 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

THIRTY-THIRD LEGISLATIVE DAY

Helena, Montana
February 13, 1985

House Chambers
State Capitol

House convened at 12:00 p.m., Mr. Speaker in the Chair. Invocation by Father Jim Reeves. Pledge of Allegiance to the Flag.

Roll call. All members present except Switzer, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the thirty-second legislative day, find the same to be correct.

Menahan, Chairman

COMMUNICATIONS AND PETITIONS

PROCLAMATION

WHEREAS, the students of the Montana University System represent a major resource to the future of the state; and

WHEREAS, a strong university system benefits all of the citizens of the state; and

WHEREAS, the actions of the state's Legislature directly affect the students of the state's colleges and universities; and

WHEREAS, participation in the actions of government is the basis of the American democratic system; and

WHEREAS, the students of the Montana University System would like an opportunity to express their concerns to the legislators of the state.

NOW, THEREFORE, I, TED SCHWINDEN, Governor of the State of Montana, do hereby proclaim February 13, 1985, as

OFFICIAL STUDENT LOBBY DAY

in Montana.

IN WITNESS WHEREOF, I have hereunto
set my hand and caused the GREAT SEAL
OF THE STATE OF MONTANA to be affixed.

DONE at the City of Helena, the Capital,
this twenty-ninth day of January, in the
year of our LORD, one thousand and nine
hundred and eighty-five.

TED SCHWINDEN
Governor of Montana

Representative Holliday addressed the assembly on behalf of WIFE, Women Involved in Farm Economics:

American agriculture today is experiencing a crisis. Daily our numbers decline because of decreasing prices and rapidly expanding debt.

On Ash Wednesday, February 20, 1985, in cooperation with the National Catholic Rural Life Conference, we are urging all churches throughout America to toll their bells in unison, beginning at 10:00 a.m. and continuing for seven minutes.

We are urging everyone to wear a yellow ribbon, as yellow is a sign of hope. WIFE groups throughout the state will be passing out these ribbons. We urge you to join us in this endeavor.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/12/85

Correctly printed: HB 274, HB 288, HB 405, HB 501, HB 579, HB 605, HB 621, HB 695, HB 724, HB 725, HB 732.

Considered correctly engrossed: HB 300, HB 328, HB 443, HB 444, HB 457, HB 460, HB 465, HB 505, HB 523.

Correctly engrossed: HB 681.

2/13/85

Correctly printed: HB 475, HB 487, HB 573, HB 574.

Correctly enrolled: HB 142.

Examined by the sponsor (Manuel) and found to be correct: HB 142.

Signed by the Speaker at 10:30 a.m., 2/13/85: HB 77, HB 148.

BUSINESS AND LABOR (Pavlovich, Chairman): 2/12/85

HB 475, introduced bill, be amended as follows:

1. Page 5, line 4.

Following: "services"

Strike: remainder of line 4 through "services" on line 5

2. Page 6, line 16.

Following: "for"

Strike: "1-year terms"

Insert: "such terms as the bylaws provide"

And, as amended, do pass. Report adopted.

HB 487, do pass. Report adopted.

HB 573, introduced bill, be amended as follows:

1. Title, line 8.

Following: line 7

Strike: "REQUIRING FUNCTIONING ODOMETERS;"

2. Page 6, line 18.

Following: "is"

Strike: "10"

Insert: "6"

3. Pages 6 and 7.

Strike: line 23 through line 6, page 7

Renumber: subsequent sections

4. Page 7, line 10.

Strike: "required under [section 3] to be operable"

5. Page 8, line 7.

Strike: "(1)"

Strike: "4"

Insert: "3"

6. Page 8, line 9.

Strike: "4"

Insert: "3"

7. Page 8, lines 10 through 12.

Strike: subsection (2) in its entirety

And, as amended, do pass. Report adopted.

HB 574, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 574

A statement of intent is required for this bill because it grants the public service commission the authority to promulgate rules to implement this section, if necessary. The utility service billing errors described in subsections (2)(a) and (2)(b) may take many forms, as each type of utility service provided is billed in a manner peculiar to the particular service, e.g., telephone versus electrical billing. Given this utility billing diversity, the legislature finds it necessary to allow the public service commission rulemaking authority to allow the commission to address unanticipated billing error problems.

FISH AND GAME (Ream, Chairman):

2/12/85

HB 406, do pass. Report adopted.

HB 581, introduced bill, be amended as follows:

1. Title, line 7.

Following: "MCA"

Insert: "; AND PROVIDING A TERMINATION DATE"

2. Page 2.

Strike: lines 17 through 20 in their entirety

Insert: "(4) The department may charge a fee for issuing an avicultural permit, if necessary, not to exceed the cost of issuing such permit."

3. Page 3.

Following: line 9

Insert: "NEW SECTION. Section 4. Termination. This act terminates September 30, 1989."

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 581

A statement of intent is necessary for this bill because section 1 grants rulemaking authority to the department of fish, wildlife, and parks. It is the intent of the legislature that the department adopt rules providing for coordination with federal agencies in the issuance of avicultural permits and enforcement of conditions and restrictions imposed by the federal migratory game bird regulations.

The legislature intends that the department adopt rules addressing disposition of migratory game birds that remain the property of the state under the provisions of this bill. It is the further intent of the legislature that the department provide necessary guidelines for the issuance and exercise of avicultural permits not stated in the bill.

HB 692, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "14"

Insert: "12"

2. Page 1, line 14.

Strike: "15"

Insert: "13"

3. Page 1, line 25.

Strike: "15"

Insert: "13"

4. Page 2, line 12.

Strike: "15"

Insert: "13"

And, as amended, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Harp, Chairman):

2/12/85

HB 65, introduced bill, be amended as follows:

1. Title, line 6.

Following: "REFLECTIVE"

Strike: "GARMENTS"

Insert: "MATERIAL"

2. Page 1, line 12.

Following: "reflective"

Strike: "garments"

Insert: "material"

3. Page 1, lines 23 through 25.

Following: "wear"

Strike: remainder of line 23 through "trim" on line 25

Insert: "reflective material no less than 2 inches in width on each wrist and ankle or elsewhere on his person"

And, as amended, do pass. Report adopted.

HB 238, do pass. Report adopted.

HB 254, do pass. Report adopted.

HB 365, do pass. Report adopted.

HB 530, do pass. Report adopted.

LOCAL GOVERNMENT (Darko, Chairman):

2/12/85

HB 517, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "\$5"

Insert: "\$2"

2. Page 1, line 21.

Strike: "\$5"

Insert: "\$2"

3. Page 1, line 24.

Following: "fund"

Insert: "unless the county has a district court fund. If the county has a district court fund, the amount must be paid into such fund"

And, as amended, do pass. Report adopted.

HB 519, do pass. Report adopted.

HB 580, do pass. Report adopted.

HB 673, introduced bill, be amended as follows:

1. Page 1, line 14.

Strike: "30"

Insert: "10 working"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

2/13/85

Adverse Committee Reports

HB 542, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, O'Hara, Patterson, Peck, Peterson, Phillips, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 84

Noes: Harrington, Kadas, Nisbet, O'Connell, Pavlovich, Pistoria, Quilici, Ream.

Total 8

Excused: Switzer.

Total 1

Absent or not voting: Bardanouve, Driscoll, Howe, Kennerly, Nathe, Poff, Rapp-Svrcek.

Total 7

HB 555, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Bergene, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, O'Connell, O'Hara, Patterson, Peterson, Phillips, Pistoria, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 74

Noes: Addy, Bachini, Bradley, D. Brown, Connelly, Harrington, Kadas, Keenan, Koehnke, Krueger, Nisbet, Pavlovich, Peck, Quilici, Ream, Schye, Waldron.

Total 17

Excused: Switzer.

Total 1

Absent or not voting: Asay, Bardanouve, Driscoll, Ellison, Menahan, Nathe, Poff, Rapp-Svrcek.

Total 8

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

February 13, 1985

Dear Mr. Speaker:

Please be informed that I have signed House bill 6 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

Senate bills passed and transmitted to the House for concurrence: 2/12/85

SB 110, introduced by Mazurek, Halligan

SB 134, introduced by Mohar, et al.

SB 140, introduced by Christiaens, et al.

SB 177, introduced by Kolstad, et al.

SB 185, introduced by Hirsch, Gage

SB 190, introduced by Mazurek

SB 197, introduced by Yellowtail

SB 209, introduced by Mohar, et al.

MOTIONS

Representative Harp moved that consideration of HB 800, second reading today, be passed until the 34th legislative day to be considered with a related bill. Motion carried.

Representative Harp moved that consideration of HR 2, second reading today, be passed until the 34th legislative day to be considered with a related bill. Motion carried.

Representative Phillips moved that consideration of HB 501 be passed until the 35th legislative day. Motion carried.

Representative Lory moved that HB 634 be taken from the Committee on State Administration and rereferred to the Committee on Business and Labor to be considered with a similar bill. Motion carried.

Representative Iverson moved that HB 768 be taken from the Committee on Local Government and rereferred to the Committee on Natural Resources. Motion carried.

Representative Driscoll moved that Harrington, Hammond, Miles, Keenan, Lynch, Van Valkenburg, and Blaylock be added as sponsors to HB 811. Motion carried.

Representative Schultz moved that HB 789 be taken from the Committee on Fish and Game and rereferred to the Committee on Agriculture. Motion carried.

Representative D. Brown moved that consideration of HB 614, second reading today, be passed until the 35th legislative day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 811, introduced by Driscoll. Referred to Committee on Business and Labor.

HB 812, introduced by Bradley, Haffey, Vincent, Keenan, Crippen, Towe, J.K. Moore, Menahan, Addy, Asay, J. Hammond, Eck, Pavlovich, Harrington, Ream, Rapp-Svrcek, Spaeth, Fuller, Christiaens, Harp, Boylan, Quilici, Krueger, Bengtson, Peck, Nisbet, Hand, Thayer, Jacobson, Blaylock, Campbell, Lynch, Brandewie, Connelly, Wallin, Gage, Ernst, Manuel, (By Request of the Council on Science and Technology). Referred to Committee on Appropriations.

HB 813, introduced by Schye, Darko, (By Request of the House Local Government Committee). Referred to Committee on Local Government.

HB 814, introduced by J.K. Moore. Referred to Committee on State Administration.

HB 815, introduced by Hayne, Devlin, Switzer, Keller, Asay, Compton, Cobb, Holliday, Ellison, Peterson, Jenkins, Grady, J. Moore, Manuel. Referred to Committee on Taxation.

HB 816, introduced by M. Williams. Referred to Committee on State Administration.

HB 817, introduced by Kitselman, Eck, Jacobson, Winslow, Hager, Kennerly. Referred to Committee on Business and Labor.

HB 818, introduced by Patterson, D. Brown, Bengtson, (By Request of the House Local Government Committee). Referred to Committee on Local Government.

HJR 29, introduced by Sands, Hannah, Marks, Rehberg, Peck, Koehnke, O'Connell, Hand. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 470 - Representative Spaeth moved that HB 470, second reading copy, be amended as follows:

1. Title, line 6.

Following: "ROAD"

Strike: "CONSTRUCTION"

Insert: "MAINTENANCE"

Following: "AND"

Insert: "REPAIR, AND"

Following: "EQUIPMENT"

Insert: "AND SUPPLIES"

2. Page 3, line 12.

Following: "equipment"

Insert: "and supplies"

3. Page 3, line 13.

Strike: "construction, reconstruction,"

4. Page 3, line 14.

Strike: "2"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 95

Noes: Harp, Peck.
Total 2

Excused: Switzer.
Total 1

Absent or not voting: Bardanouve, Waldron.
Total 2

Representative Spaeth moved that HB 470, second reading copy, be further amended as follows:

1. Title, line 4.
Following: "TOWN"
Insert: "OR THIRD-CLASS CITY"
2. Page 3, line 10.
Following: "town"
Insert: "or third-class city"
3. Page 3, line 12.
Following: "town"
Insert: "or third-class city"
4. Page 3, line 14.
Following: "town"
Insert: "or third-class city"
5. Page 4, line 15.
Following: "town"
Insert: "or third-class city"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Spaeth, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 88

Noes: Brandewie, Ellison, Gilbert, Harp, Kitselman, Krueger, Nelson, Peck, Sands, Swift.

Total 10

Excused: Switzer.

Total 1

Absent or not voting: Smith.

Total 1

Representatives Grady and Holliday excused at this time.

That HB 470, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cody, Cohen, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Spaeth, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 82

Noes: Brandewie, Cobb, Compton, Ellison, Gilbert, Harp, Jenkins, Kitselman, J.K. Moore, Peterson, Ramirez, Sands, Smith, Swift.

Total 14

Excused: Grady, Holliday, Switzer.

Total 3

Absent or not voting: Poff.

Total 1

HB 535 - Representative Hannah moved that HB 535, second reading copy, be amended as follows:

1. Page 2, line 10.

Strike: "(vii) public service commissioner;"

Renumber: subsequent subsections

2. Page 6, line 7.

Following: "[section 5]"

Insert: " , unless the candidate has declared his indigency by the procedure provided in 13-10-203"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 90

Noes: Bachini, Hart, McCormick.

Total 3

Excused: Grady, Holliday, Switzer.

Total 3

Absent or not voting: Brandewie, Connelly, Harp, Schultz.

Total 4

Representative Ramirez moved that HB 535 be further amended.

Representative Rapp-Svrcek made a substitute motion to divide the amendments. Motion carried.

Section 1 read as follows:

1. Page 2, line 21.

Following: "occupation"

Strike: "1" through "employment"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cody, Cohen, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harrington, Howe, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 79

Noes: Bachini, Bardanouve, D. Brown, Cobb, Driscoll, Fritz, Harper, Hart, Hayne, McCormick, Marks, Montayne, Pavlovich, Sales, Zabrocki.

Total 15

Excused: Grady, Holliday, Switzer.

Total 3

Absent or not voting: Compton, Connelly, Jenkins.

Total 3

Section 2 read as follows:

2. Page 2, line 22.

Following: "current"

Strike: "and previous places"

Insert: "place"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Garcia, Glaser, Gould, Hammond, Hand, Hannah, Hansen, Hanson, Harp, Harrington, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Bachini, Bardanouve, Driscoll, Fritz, Gilbert, Harbin, Harper, Hart, Hayne, McCormick, Montayne, Pavlovich, Raney, Schultz, Zabrocki.

Total 15

Excused: Grady, Holliday, Switzer.

Total 3

Absent or not voting: Connelly.

Total 1

Representatives Cohen and Ream excused at this time.

Section 3 failed to pass. (29-65)

Representative Schultz excused at this time.

Representatives Cohen and Ream present at this time.

That HB 535, as amended, do pass. Motion failed. (13-80)

That HB 535, as amended, do not pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Connelly, Darko, Devlin, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Keenan, Keller, Kennerly, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schye, Simon, Smith, Swift, Thoft, Thomas, Waldron, Wallin, Zabrocki, Mr. Speaker.

Total 80

Noes: Cobb, Compton, Hannah, Jenkins, Kadas, Kitselman, O'Hara, Phillips, Ramirez, Sands, Spaeth, Winslow.

Total 12

Excused: Grady, Schultz, Switzer, Williams.

Total 4

Absent or not voting: Donaldson, Ellison, Keyser, Nathe.

Total 4

HB 550 - That HB 550 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schye, Simon, Spaeth, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 75

Noes: Bachini, Bardanouve, Ellerd, Ellison, Gilbert, Hannah, Hanson, Jones, McCormick, Nathe, Patterson, Peck, Peterson, Poff, Sales, Smith, Swift, Thoft, Thomas.

Total 19

Excused: Grady, Schultz, Switzer, Williams.

Total 4

Absent or not voting: Keyser, Phillips.

Total 2

HB 596 - That HB 596 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Grady, Schultz, Switzer, Williams.

Total 4

Absent or not voting: None.

Total 0

Representative Williams present at this time.

HB 600 - That HB 600 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: Abrams, D. Brown, Driscoll, Fritz, Hart, Manuel, Pavlovich, Sales.

Total 8

Excused: Grady, Schultz, Switzer.

Total 3

Absent or not voting: Donaldson, Waldron.

Total 2

HB 612 - That HB 612 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Cody, Connelly, Darko, Driscoll, Ellerd, Eudaily, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Jenkins, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet,

Pavlovich, Peck, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 52

Noes: Asay, Brandewie, D. Brown, Campbell, Cobb, Cohen, Compton, Devlin, Donaldson, Ellison, Ernst, Gilbert, Glaser, Gould, Hannah, Hanson, Harp, Hayne, Iverson, Jones, Keller, Keyser, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Peterson, Phillips, Pistoria, Poff, Ramirez, Rehberg, Sands, Simon, Smith, Swift, Thoft, Thomas, Wallin, Winslow.

Total 45

Excused: Grady, Schultz, Switzer.

Total 3

Absent or not voting: None.

Total 0

HB 644 - That HB 644 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Grady, Schultz, Switzer.

Total 3

Absent or not voting: Hansen.

Total 1

HJR 18 - That HJR 18 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gould, Hammond, Hand, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Gilbert, Glaser, Harp, Koehnke, Zabrocki.

Total 5

Excused: Grady, Schultz, Switzer.

Total 3

Absent or not voting: Hannah.

Total 1

Representatives Grady, Schultz, and Switzer present at this time.

HB 236 - Representative Pavlovich moved that HB 236 do pass. Representative Ellerd made a substitute motion that HB 236 do not pass. Representative Mercer made a substitute motion to all motions pending that HB 236 be moved down on the second reading board for the purpose of amendment. Motion failed.

Representative Ellerd's motion that HB 236 do not pass failed as follows:

Ayes: Addy, Bardanouve, Brandewie, J. Brown, Cohen, Donaldson, Ellerd, Ellison, Eudaily, Garcia, Gilbert, Glaser, Hammond, Hannah, Hansen, Harper, Hayne, Kadas, Keller, Kitselman, Mercer, Miles, Nelson, O'Hara, Ramirez, Rapp-Svrcek, Sales, Sands, Swift, Thoft, Waldron, Wallin, Williams, Winslow.

Total 34

Noes: Abrams, Asay, Bachini, Bergene, Bradley, D. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Driscoll, Ernst, Fritz, Gould, Grady, Hand, Hanson, Harbin, Harp, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Kennerly, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Ream, Rehberg, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Thomas, Zabrocki, Mr. Speaker.

Total 66

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Pavlovich's motion that HB 236 do pass carried as follows:

Ayes: Abrams, Asay, Bachini, Bergene, Bradley, D. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Driscoll, Ernst, Fritz, Garcia, Gould, Grady, Hammond, Hand, Hanson, Harbin, Harp, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Kennerly, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Ream, Rehberg, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Winslow, Zabrocki, Mr. Speaker.

Total 68

Noes: Addy, Bardanouve, Brandewie, J. Brown, Cohen, Donaldson, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Hannah, Hansen, Harper, Hayne, Kadas, Keller, Kitselman, Mercer, Miles, Nelson, O'Hara, Ramirez, Rapp-Svrcek, Sales, Sands, Swift, Thoft, Thomas, Waldron, Wallin, Williams.

Total 32

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (84-13)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 300 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: Gilbert.

Total 1

Excused: None.

Total 0

Absent or not voting: O'Connell.

Total 1

HB 328 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Campbell.

Total 1

HB 444 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: Garcia, Poff.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 457 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Lory.

Total 1

HB 460 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney,

Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Campbell, Hart, Keller, Keyser, Kitselman, Koehnke, Marks.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 465 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 82

Noes: Cobb, Cody, Devlin, Ellerd, Ellison, Hanson, Harp, Hayne, Jenkins, Keller, Keyser, J.K. Moore, Nathe, Peterson, Sales, Swift, Switzer, Thoft.

Total 18

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 505 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: J. Moore, Swift, Thoft.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 523 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Kadas, Keenan, Kennerly, Koehnke, Krueger, Lory, McCormick, Menahan, Mercer, Miles, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Sands, Schultz, Schye, Simon, Spaeth, Waldron, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 70

Noes: Asay, Brandewie, Cobb, Devlin, Ellerd, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Jenkins, Jones, Keller, Keyser, Kitselman, Manuel, Marks, Miller, J.K. Moore, Patterson, Rehberg, Sales, Smith, Swift, Switzer, Thoft, Thomas, Winslow.

Total 30

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 531 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Kadas.

Total 1

HB 625 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Grady, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, O'Hara, Peck, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 52

Noes: Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Ramirez, Rehberg, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 47

Excused: None.

Total 0

Absent or not voting: Abrams.

Total 1

HB 639 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: D. Brown.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/13/85

Correctly printed: HB 254, HB 406, HB 519, HB 580, HJR 9.

Signed by the Speaker at 4:00 p.m., 2/13/85: HB 142.

JUDICIARY (Hannah, Chairman):

2/13/85

HB 265, introduced bill, be amended as follows:

1. Page 1, line 16.

Strike: "2"

Insert: "1"

2. Page 1, line 19.

Following: "object"

Insert: "in or over a water body"

3. Page 2, line 7.

Following: "lands"

Insert: ", while within the boundaries of such lands"

4. Page 2, line 8.

Following: "supporting"

Insert: "the following"

5. Page 2, line 9.

Strike: "activity"

Insert: "activities: log floating, transportation of furs and skins, shipping, commercial guiding using multiperson watercraft, public transportation, or the transportation of merchandise, as these activities have been defined by published judicial opinion as of [the effective date of this act]"

6. Page 2.

Following: line 14

Insert: "(4) "Commission" means the fish and game commission provided for in 2-15-3402."

Re-number: subsequent subsections

7. Page 3, line 6.

Following: "value."

Insert: "A flood plain adjacent to surface waters is not considered to lie within the surface waters' high-water marks."

8. Page 3, line 7.

Strike: "(a)"

Following: "to"

Strike: "class" and "I" on line 8

Insert: "surface"

9. Page 3, line 11.

Following: "paddle,"

Insert: "other water-related pleasure activities,"

10. Page 3, line 12.

Following: "uses"

Strike: ", within" through "waters" on line 13

11. Page 3.

Following: line 13

Strike: subsection (b) in its entirety

12. Page 4.

Following: line 9

Insert: "(10) "Surface water" means, for the purpose of determining the public's access for recreational use, a natural water body, its bed, and its banks up to the ordinary high-water mark."

13. Page 4, line 12.

Strike: "subsection (3)"

Insert: "subsections (2) through (4)"

Following: "all"

Strike: "class I"

Insert: "surface"

14. Page 4, line 13.

Following: "use"

Strike: "as defined" through "mark," on line 15

15. Page 4.

Following: line 16

Strike: subsection (2) in its entirety

Re-number: subsequent subsections

16. Page 4, line 25.

Following: "include"

Strike: "the" through "waters" on page 5, line 1

Insert: ", without permission of the landowner"

17. Page 5, line 2.

Following: "(a)"

Insert: "the operation of all-terrain vehicles or other motorized vehicles not primarily designed for operation upon the water;

(b) the recreational use of surface waters"

18. Page 5, line 3.

Strike: "or"

19. Page 5, line 4.

Strike: "(b)"

Insert: "(c) the recreational use of waters"

20. Page 5, line 5.

Following: "3"

Insert: "; or (d) big game hunting"

Following: "."

Insert: "(3) The right of the public to make recreational use of class II waters does not include, without permission of the landowner:

(a) overnight camping;

(b) the placement or creation of any permanent or semipermanent object, such as a permanent duck blind or boat moorage; or

(c) other activities which are not primarily water-related pleasure activities."

21. Page 5.

Following: line 9

Insert: "(5) The commission shall adopt rules pursuant to 87-1-303, in the interest of public health, public safety, or the protection of public and private property, governing recreational use of class I and class II waters. These rules must include the following:

(a) the establishment of procedures by which any person may request an order from the commission:

(i) limiting, restricting, or prohibiting the type, incidence, or extent of recreational use of a surface water; or

(ii) altering limitations, restrictions, or prohibitions on recreational use of a surface water imposed by the commission; and

(b) provisions requiring the issuance of written findings and a decision whenever a request is made pursuant to the rules adopted under subsection (5)(a)."

Renumber: subsequent subsection

22. Page 5, line 13.

Following: "lands"

Strike: "under" through "act]"

23. Page 5, line 23.

Strike: "barrier"

Insert: "structure"

24. Page 5, line 24.

Strike: "barrier" through "and"

Insert: "structure"

25. Page 6, line 2.

Strike: "barrier"

Insert: "structure"

26. Page 8, line 16.

Following: "who"

Strike: "while" through "using" on line 17

Insert: "is injured or whose property is damaged because of placement or use of"

27. Page 9, line 1.

Following: "through"

Insert: ":(a)"

28. Page 9, line 2.

Following: "including"

Insert: ":(i)"

29. Page 9, line 3.

Following: "them"

Insert: ":",

Strike: "and"

Insert: ":(ii)"

30. Page 9, line 4.

Following: "mark"

Strike: ":",

Insert: ":",

Following: "or"

Strike: "of"

Insert: ":(iii) any"

Following: "portage"

Strike: "routes"

Following: "barriers"

Insert: ";; or"

(b) the entering or crossing of private property to reach surface waters"

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 265

A statement of intent is required for House Bill 265 because section 2(5) directs the fish and game commission to adopt rules governing recreational use of surface waters.

In its implementation of this bill, the long-range goal of the commission must be to preserve, protect, and enhance the surface waters of this state while facilitating the public's exercise of its recreational rights on surface waters. The commission shall strive to permit broad exercise of public rights, while protecting the water resource and its ecosystem. In adopting the procedural rules required by section 2, the commission shall emphasize that in close cases the decision must be to protect the environment by restricting or continuing to restrict recreational use, since it is easier to prevent environmental degradation than it is to repair it.

In developing the rules implementing House Bill 265, the commission shall make every effort to make the process uncomplicated and clear. As provided in subsection (5)(b), the commission must issue written findings and an order whenever a request is made for restrictions on recreational

use of a surface water or for the lifting of previously imposed limitations on recreational use of a surface water. The commission may adopt rules providing for summary dismissal of requests when a substantially similar request has been received and acted upon within a brief time prior to the second or subsequent requests if, during the time period since the first request, it is unlikely that there has been a change in the situation upon which the commission based its earlier decision.

In developing the rules establishing criteria for determination upon a request made under subsections (5)(a) or (5)(b), the commission shall require that each of the following factors that is relevant to the decision must be considered in the determination:

- (a) whether public use is damaging the banks and land adjacent to the water body;
- (b) whether public use is damaging the property of landowners underlying or adjacent to the water body;
- (c) whether public use is adversely affecting wildlife or birds;
- (d) whether public use is disrupting or altering natural areas or biotic communities;
- (e) whether public use is causing degradation of the water quality of the water body; and
- (f) any other factors relevant to the preservation of the water body in its natural state.

In making its decision after a request has been made for restrictions of recreational use, the commission may impose any reasonable limitation on the recreational use of surface waters including complete prohibition of a particular type of recreation, prohibition of a particular type of recreation in certain specified areas, such as within a specified distance of a residence or other structure, or in an appropriate case, prohibition of all recreation.

HB 587, do pass. Report adopted.

HB 588, do pass. Report adopted.

HB 620, do pass. Report adopted.

Adverse Committee Report

HB 304, do not pass.

STATE ADMINISTRATION (Sales, Chairman):

2/13/85

HB 524, introduced bill, be amended as follows:

1. Page 2, lines 9 and 10.

Strike: "All" on line 9 through "that" on line 10

Insert: "The board of land commissioners may require that an agreement which"

2. Page 2, line 12.

Strike: "must"

And, as amended, do pass. Report adopted.

HB 570, introduced bill, be amended as follows:

1. Page 1, line 18.

Following: "adopted"

Insert: "under 50-3-103"

And, as amended, do pass. Report adopted.

HB 576, introduced bill, be amended as follows:

1. Page 2.

Following: line 2

Insert: "NEW SECTION. Section 2. Coordination instruction. If House Bill No. 394 is passed and approved, this act is void."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 601, do pass. Report adopted.

HB 623, introduced bill, be amended as follows:

1. Title, line 9.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE
AND AN APPLICABILITY DATE"

2. Page 2.

Following: line 18

Insert: "NEW SECTION. Section 3. Effective date — applicability.
This act is effective on passage and approval and applies retro-
actively, within the meaning of 1-2-109, to any health facility financ-
ing undertaken after October 1, 1983."

And, as amended, do pass. Report adopted.

HB 629, do pass. Report adopted.

HB 761, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "AMOUNTS"

Insert: "AMOUNT"

2. Title, line 7.

Strike: "AND MEALS"

3. Title, lines 7 through 11.

Strike: "PERMITTING" on line 7 through ";," on line 11

4. Page 2, line 4.

Strike: "\$35"

Insert: "\$27"

5. Page 2, line 5.

Strike: "\$6.50"

Insert: "\$3"

6. Page 2, line 6.

Strike: "\$4"

Insert: "\$3.50"

Strike: "\$12"

Insert: "\$8"

7. Page 3, lines 2 through 6.

Strike: ":", on line 2 through "(b)" on line 6

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 243 - Representatives Keyser, Sales, Jenkins, Phillips, Compton, Campbell, Ellison, Asay, Patterson, Devlin, Brandewie, C. Smith, Jones, Gould, Ellerd, Thoft, Harp, Ernst, Hanson, and Nathe objected to the adverse committee report on HB 243, and requested that the bill be printed and placed on second reading. 2/13/85

HB 262, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton,

Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: Cobb, Donaldson, Kennerly, Keyser, Lory, Mercer, O'Hara, Spaeth, Thomas.

Total 9

Excused: None.

Total 0

Absent or not voting: Eudaily, Hart.

Total 2

HB 603, do not pass.

MOTIONS

Representative D. Brown moved that HB 614 be taken from second reading on the 35th legislative day and referred to the Committee on Appropriations. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 12:00 p.m., February 14, 1985.

Motion carried.

House adjourned at 3:14 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

THIRTY-FOURTH LEGISLATIVE DAY

Helena, Montana
February 14, 1985

House Chambers
State Capitol

House convened at 12:00 p.m., Mr. Speaker in the Chair. Invocation by Pastor Marc Cramer. Pledge of Allegiance to the Flag.

Roll call. All members present except Bradley, Kennerly, Menahan, C. Smith, Williams, and the Committee on Judiciary, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the thirty-third legislative day, find the same to be correct.

Menahan, Chairman

SPECIAL ORDERS OF THE DAY

Upon request of Speaker Vincent, the Sergeant-at-arms escorted the Honorable Ron Marlenee, Congressman from the Eastern District, and his wife Cindy, to the rostrum. After being introduced and welcomed by the Speaker, Congressman Marlenee addressed the members of the House.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/13/85
Correctly printed: HB 65, HB 243, HB 365, HB 517, HB 530, HB 581, HB 587, HB 588, HB 601, HB 620, HB 629, HB 673, HB 692.
Considered correctly engrossed: HB 236, HB 550, HB 596, HB 600, HB 612, HB 644, HJR 18.

2/14/85
Correctly printed: HB 85, HB 238, HB 265, HB 474, HB 524, HB 557, HB 566, HB 570, HB 576, HB 586, HB 606, HB 618, HB 623, HB 627, HB 658, HB 662, HB 718, HB 759, HB 761.
Correctly engrossed: HB 470.
Signed by the Speaker, 2/14/85: SB 71.

APPROPRIATIONS (Bardanoue, Chairman): 2/13/85
HB 342, introduced bill, be amended as follows:

1. Title, line 10.
Following: "17-5-804"
Insert: "AND"
Following: "18-2-101,"
Strike: "AND 18-2-105,"

2. Page 5.
Strike: lines 17 through 25

3. Page 6.
Strike: lines 1 through 16
Re-number: subsequent sections

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Pavlovich, Chairman): 2/13/85
HB 85, do pass. Report adopted.
HB 474, introduced bill, be amended as follows:

1. Title, line 7.
Following: "LICENSE;"

Strike: remainder of line 7 through "RECIPROCITY;" on line 9

2. Title, line 13.

Following: "37-19-304,"

Strike: "37-19-305,"

3. Page 2, line 4.

Following: "completed"

Strike: "2 full academic years"

Insert: "90 quarter credits or the equivalent"

4. Page 2, line 6.

Following: "~~board~~"

Insert: "or have experience considered equivalent by the board"

5. Page 3, line 3.

Strike: section 3 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 606, do pass. Report adopted.

HB 618, do pass. Report adopted.

HB 658, do pass. Report adopted.

HB 662, introduced bill, be amended as follows:

1. Page 1, line 25.

Following: "offer"

Insert: ", but for the purpose of 30-10-202, an offer to sell which is not directed to or received by the offeree in this state is not made in this state"

And, as amended, do pass. Report adopted.

HB 718, introduced bill, be amended as follows:

1. Title, line 8.

Following: "MCA"

Strike: remainder of line 8 through "DATE" on line 9

2. Page 1, line 15.

Following: "~~An~~"

Strike: "Unless otherwise provided by law, an"

Insert: "An"

3. Page 2, line 15.

Following: line 14

Insert: "(5) A complaint pursuant to 2-18-1001 through 2-18-1003 must be filed with the board within 180 days after the grievance arises."

4. Page 3, line 6.

Following: "requiring"

Strike: "such action of the ~~department~~ agency"

Insert: "partial or full backpay, with benefits, reinstatement in the same or in a similar position, removal of disputed material from the employee's personnel file, or any such action of the department"

5. Page 3, line 8.

Following: "grievance."

Strike: remainder of lines 8 through 11 in their entirety

6. Page 3, line 14.

Following: line 13

Insert: "(4) The board shall issue a final order within 5 months after any hearing held pursuant to this section."

7. Pages 3 and 4.

Following: "order" on line 18, page 3

Strike: remainder of line 18 through "conclusive" on line 6, page 4

8. Page 4, line 17.

Following: "other."

Insert: "These two procedures are an employee's sole and exclusive remedy for personnel actions under 2-18-1002."

9. Page 6, line 3.

Strike: section 10 in its entirety

And, as amended, do pass. Report adopted.

HB 759, do pass. Report adopted.

Adverse Committee Reports

HB 234, do not pass.

HB 477, do not pass.

HB 485, do not pass.

HB 593, do not pass.

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman):

2/13/85

HB 471, introduced bill, be amended as follows:

1. Page 1, line 22.

Strike: "3,000"

Insert: "2,000"

2. Page 1, line 23.

Strike: "3,000"

Insert: "2,000"

3. Page 3, line 9.

Following: "superintendent"

Insert: "or his authorized representative"

4. Page 3, line 13.

Following: "belonging"

Insert: ", or his authorized representative,"

5. Page 3, line 14.

Following: "agent"

Insert: ", unless otherwise agreed upon by participating districts"

6. Page 4, line 10.

Following: "board"

Insert: "or their authorized representatives"

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 471

A statement of intent is required for this bill because it grants rule-making authority to the superintendent of public instruction for the purpose of dividing the state into special education service areas in order to provide efficient and comprehensive special education services to Montana children.

Section 1 of the bill provides the basic criteria that the superintendent of public instruction must consider in adopting rules to implement special education service areas.

In acknowledgment of this criteria, the superintendent of public instruction may adopt rules for dividing the entire state into special education service areas, for distributing funding, and for addressing any controversies that arise from the creation of special education service areas.

HB 480, do pass. Report adopted.

HB 626, do pass. Report adopted.

Adverse Committee Report

HB 330, do not pass.

JUDICIARY (Hannah, Chairman):

2/13/85

HB 557, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "CERTAIN PURPOSES"

Insert: "THE PURPOSE OF OBTAINING FISHING AND HUNTING LICENSES"

2. Title, line 7.

Strike: "6"

Insert: "12"

3. Title, line 8.

Following: "SECTIONS"

Strike: "20-25-501,"

Following: "87-2-102"

Strike: " , "

4. Page 1, line 10.

Following: the enacting clause

Strike: section 1 in its entirety

Renumber: subsequent sections

5. Page 4, line 21.

Strike: "6 months of the 1-year period"

Insert: "12 consecutive months"

6. Page 4, line 22.

Following: "preceding"

Insert: "each"

7. Page 6.

Following: line 7

Insert: "NEW SECTION. Section 3. Extension of authority. Any existing authority of the department of fish, wildlife, and parks to make rules on the subject of the provisions of this act is extended to the provisions of this act."

And, as amended, do pass. Report adopted.

HB 566, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "PROHIBIT"

Insert: "RESTRICT"

2. Page 1, line 9.

Strike: "Prohibition of"

Insert: "Restrictions on use of certain"

3. Page 1, line 11.

Following: "predetermined"

Insert: "law enforcement"

4. Page 1, line 12.

Following: "number"

Insert: "without written permission from the chief law enforcement officer of the local government in which the alarm system is installed"

And, as amended, referred to the committee of the whole without recommendation. Report adopted.

HB 586, introduced bill, be amended as follows:

1. Title, line 6.

Following: "BY"

Insert: "INMATES OR"

2. Title, line 7.

Following: "OF"

Insert: "ADULT OR YOUTH"

3. Page 1, line 12.

Strike: "a"

Insert: "an adult or youth"

4. Page 1, line 14.

Following: "inmate"

Insert: "or resident"

5. Page 1, line 18.

Following: "inmates"

Insert: "or residents"

Following: "in"

Insert: "adult or youth"

6. Page 1, line 19.

Following: "inmate"

Insert: "or resident"

And, as amended, do pass. Report adopted.

HB 627, introduced bill, be amended as follows:

1. Page 1, line 23.

Strike: "review all"

Insert: "have access to"

2. Page 2, line 4.

Following: "child"

Strike: "2, including" through "exhibits," on line 6

3. Page 2, line 6.

Strike: "making"

Insert: "make"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

2/13/85

HB 9, introduced by Eudaily

HB 34, introduced by Keenan

HB 94, introduced by Ernst

HB 116, introduced by Miles

HB 195, introduced by Garcia

HJR 3, introduced by Eudaily

Senate bills passed and transmitted to the House for concurrence: 2/13/85

SB 88, introduced by Aklestad

SB 173, introduced by Haffey, et al.

SB 180, introduced by Van Valkenburg, et al.

SB 181, introduced by Haffey

SB 214, introduced by Mazurek, et al.

SB 226, introduced by Jacobson

SB 233, introduced by Regan, et al.

SB 237, introduced by Christiaens, et al.

SB 239, introduced by Lybeck, Ramirez

SB 253, introduced by Lynch

SB 255, introduced by Galt, Schye

SB 256, introduced by B. Brown, et al.

SB 261, introduced by Lynch, et al.

SB 303, introduced by Manning, et al.

MOTIONS

Representative Winslow moved that HB 579 be placed below HB 732, second reading today. Motion carried.

Representative Harp moved that HJR 9 be placed above HB 579, second reading today. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 819, introduced by Krueger, D. Brown. Referred to Committee on Business and Labor.

HB 820, introduced by Rapp-Svrcek, Grady, Hart, Vincent, Harrington, Pavlovich, Quilici, Krueger, D. Brown. Referred to Committee on Fish and Game.

HB 821, introduced by Schye, Nisbet, Cody, J. Hammond, Keenan, Raney, Darko, Winslow, Driscoll, Connelly. Referred to Committee on Human Services and Aging.

HB 822, introduced by Schye, Gilbert, Iverson. Referred to Committee on Taxation.

HB 823, introduced by Kadas, Lybeck, Vincent, Eck, Ream, Connelly, Nisbet, Manuel, Regan, Mohar, Hirsch, Blaylock, Manning. Referred to Committee on State Administration.

HB 824, introduced by Eudaily. Referred to Committee on Education.

HB 825, introduced by Pavlovich, J.K. Moore, Zabrocki, Fritz, Harrington, Menahan, Hansen, Miller. Referred to Committee on Business and Labor.

HB 826, introduced by Ellerd, Boylan, Anderson, Keyser. Referred to Committee on Taxation.

HJR 30, introduced by Glaser, Harp, Abrams, O'Connell, Zabrocki, Campbell, Koehnke, Kennerly, Howe, Keyser, Harbin, C. Smith, Peterson, Compton, (By Request of the House Committee on Highways and Transportation). Referred to Committee on Highways and Transportation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Ream in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 575 - That HB 575 do pass. Motion carried as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Brandewie, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Fritz, Garcia, Gilbert, Glaser, Hand, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miller, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 76

Noes: None.

Total 0

Excused: Addy, Bergene, Bradley, D. Brown, Cobb, Darko, Eudaily, Gould, Grady, Hammond, Hannah, Kennerly, Keyser, Krueger, Menahan, Miles, Montayne, O'Hara, Poff, Rapp-Svrcek, Smith, Williams.

Total 22

Absent or not voting: Harrington, J.K. Moore.

Total 2

HB 605 - That HB 605 do pass. Motion carried as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Brandewie, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Fritz, Garcia, Gilbert, Glaser, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 78

Noes: None.

Total 0

Excused: Addy, Bergene, Bradley, D. Brown, Cobb, Darko, Eudaily, Gould, Grady, Hammond, Hannah, Kennerly, Keyser, Krueger, Menahan, Miles, Montayne, O'Hara, Poff, Rapp-Svrcek, Smith, Williams.

Total 22

Absent or not voting: None.

Total 0

HB 621 - That HB 621 do pass. Motion carried as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Brandewie, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Fritz, Garcia, Gilbert, Glaser, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 75

Noes: None.

Total 0

Excused: Addy, Bergene, Bradley, D. Brown, Cobb, Darko, Eudaily, Gould, Grady, Hammond, Hannah, Kennerly, Keyser, Krueger, Menahan, Miles, Montayne, O'Hara, Poff, Rapp-Svrcek, Smith, Williams.

Total 22

Absent or not voting: Kadas, Marks, Schye.

Total 3

HB 683 - Representative Connelly moved that HB 683, second reading copy, be amended as follows:

1. Title, line 8.

Strike: "MAY BE"

Insert: "IS NOT"

2. Page 2, line 12.

Strike: "may be"

Insert: "is not"

Following: "46-1-201"

Strike: " "

Insert: "2"

3. Page 2.

Strike: lines 13 and 14 in their entirety

Insert: "The law enforcement powers of a park warden are limited to issuing citations charging violations of park ordinances and rules."

Amendment passed as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Brandewie, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Fritz, Garcia, Gilbert, Glaser, Hand, Hansen, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet,

O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 73

Noes: None.

Total 0

Excused: Addy, Bergene, Bradley, D. Brown, Cobb, Darko, Eudaily, Gould, Grady, Hammond, Hannah, Kennerly, Keyser, Krueger, Menahan, Miles, Montayne, O'Hara, Poff, Rapp-Svrcek, Smith, Williams.

Total 22

Absent or not voting: Harper, Kadas, Marks, Patterson, Waldron.

Total 5

That HB 683, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Bachini, Bardanouve, Brandewie, J. Brown, Cody, Cohen, Compton, Connelly, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Fritz, Garcia, Gilbert, Glaser, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miller, J. Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Pistoria, Quilici, Raney, Ream, Sales, Sands, Schultz, Schye, Spaeth, Switzer, Thoft, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 64

Noes: Asay, Campbell, Ellison, Hayne, J.K. Moore, Nathe, Patterson, Phillips, Ramirez, Rehberg, Simon, Swift, Thomas.

Total 13

Excused: Addy, Bergene, Bradley, D. Brown, Cobb, Darko, Eudaily, Gould, Grady, Hammond, Hannah, Kennerly, Keyser, Krueger, Menahan, Miles, Montayne, O'Hara, Poff, Rapp-Svrcek, Smith, Williams.

Total 22

Absent or not voting: Kadas.

Total 1

HB 724 - Representative Harper moved that HB 724 be placed below HB 288. Motion carried.

HB 725 - Representative Bardanouve moved that consideration of HB 725 be passed for the day. Motion carried.

Representative Bradley present and the Committee on Judiciary returning at this time.

HB 732 - That HB 732 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miller, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Spaeth, Swift, Switzer, Thomas, Waldron, Wallin, Zabrocki, Mr. Speaker.

Total 80

Noes: J.K. Moore, Simon, Thoft, Winslow.

Total 4

Excused: Bergene, D. Brown, Hammond, Hannah, Kennerly, Keyser, Krueger, Menahan, Miles, Montayne, Poff, Rapp-Svrcek, Smith, Williams.

Total 14

Absent or not voting: Bardanouve, Kadas.

Total 2

HB 579 - That HB 579 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Compton, Connelly, Darko, Devlin, Donaldson, Ernst, Eudaily, Fritz, Garcia, Grady, Hand, Hansen, Hanson, Harbin, Harp, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keller, Lory, McCormick, Manuel, Miles, Miller, Montayne, J. Moore, Nathe, Nisbet, O'Hara, Peck, Peterson, Pistoria, Poff, Ramirez, Raney, Ream, Rehberg, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 62

Noes: Asay, Cobb, Cody, Cohen, Driscoll, Ellerd, Ellison, Gilbert, Glaser, Gould, Harper, Hart, Jones, Keenan, Keyser, Kitselman, Koehnke, Krueger, Marks, Mercer, J.K. Moore, Nelson, O'Connell, Patterson, Pavlovich, Phillips, Quilici, Rapp-Svrcek, Sales.

Total 29

Excused: Bergene, Hammond, Hannah, Kennerly, Menahan, Smith, Williams.

Total 7

Absent or not voting: Bardanouve, Sands.

Total 2

HJR 9 - Representative Waldron moved that HJR 9 be placed below HB 243 for the purpose of amendment. Motion carried.

HB 800 - That HB 800 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Hannah, Kennerly, Menahan, Smith, Williams.

Total 5

Absent or not voting: Cohen, Hansen.

Total 2

HR 2 - Representative Harp moved that HR 2 do pass. Representative Donaldson made a substitute motion that HR 2 be placed below

HJR 9. Representative Marks made a substitute motion to all motions pending that consideration of HR 2 be passed for the day. Motion carried.

HJR 21 - That HJR 21 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Kennerly, Menahan, Smith, Williams.

Total 4

Absent or not voting: Hansen, Harrington, Mercer, Quilici.

Total 4

HB 65 - That HB 65 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Brandewie, D. Brown, Campbell, Cobb, Cody, Compton, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hansen, Harbin, Holliday, Howe, Jenkins, Jones, Kadas, Keenan, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Miles, Montayne, J. Moore, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sands, Schye, Waldron, Zabrocki, Mr. Speaker.

Total 56

Noes: Addy, Asay, Bergene, Bradley, J. Brown, Cohen, Connelly, Ellerd, Ellison, Ernst, Gould, Hannah, Hanson, Harp, Harper, Hayne, Iverson, Keller, Krueger, Miller, J.K. Moore, Nathe, Nelson, Peterson, Phillips, Rapp-Svrcek, Sales, Schultz, Spaeth, Swift, Thoft, Thomas, Wallin, Winslow.

Total 34

Excused: Kennerly, Menahan, Smith, Williams.

Total 4

Absent or not voting: Abrams, Harrington, Hart, Mercer, Simon, Switzer.

Total 6

HB 243 - Representative Keyser moved that HB 243 do pass. Representative J.K. Moore made a substitute motion that HB 243 do not pass. Motion carried as follows:

Ayes: Abrams, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Cobb, Cody, Cohen, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Jones, Kadas, Keenan, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Miles, Miller, Montayne, J.K. Moore, J. Moore,

Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schye, Simon, Spaeth, Switzer, Thoft, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 74

Noes: Addy, Asay, Campbell, Compton, Ellerd, Ernst, Glaser, Hanson, Iverson, Jenkins, Keller, Keyser, Marks, Mercer, Nathe, Phillips, Sales, Sands, Schultz, Swift, Thomas.

Total 21

Excused: Kennerly, Menahan, Smith, Williams.

Total 4

Absent or not voting: D. Brown.

Total 1

HJR 9 - Representative Waldron moved that HJR 9, second reading copy, be amended. Representative Waldron made a substitute motion that HJR 9 be placed below HB 254 so that second reading copies of the bill could be distributed. Motion carried.

HB 254 - That HB 254 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Connelly, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hanson, Harp, Holliday, Howe, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 75

Noes: Bardanouve, Cody, Cohen, Darko, Eudaily, Fritz, Gould, Harbin, Harper, Harrington, Hart, Hayne, Iverson, Krueger, Lory, Nisbet, Ramirez, Raney, Sands.

Total 19

Excused: Kennerly, Menahan, Smith, Williams.

Total 4

Absent or not voting: Hansen, Nathe.

Total 2

Representative Kennerly present at this time.

HJR 9 - Representative Waldron moved that HJR 9, second reading copy, be amended as follows:

1. Page 3, line 1.

Strike: "\$748,148,295"

Insert: "\$747,108,169"

2. Page 12, line 19.

Following: "\$3,080,625"

Strike: remainder of line 19

Insert: "\$2,772,562 \$2,438,000 \$5,210,562"

3. Page 12, line 25.

Following: "TO"

Strike: "REMAIN CONSTANT even"

Insert: "decline"

4. Page 13, line 9.

Strike: "\$2.55 \$2.55"

Insert: "\$2.25 \$2.00"

5. Page 14, line 13.

Strike: "\$364,919,155 \$383,229,140 \$748,148,295"

Insert: "\$364,549,479 \$382,558,690 \$747,108,169"

Amendment passed as follows:

Ayes: Abrams, Addy, Bardanouve, Bradley, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Simon, Spaeth, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 77

Noes: Asay, Bachini, Brandewie, Campbell, Harp, Harper, Harrington, Jones, McCormick, Marks, Nathe, Nisbet, Peck, Schultz, Schye, Swift.

Total 16

Excused: Menahan, Smith, Williams.

Total 3

Absent or not voting: Bergene, D. Brown, Grady, O'Connell.

Total 4

Representative Garcia excused at this time.

Representative Harp moved that HJR 9, second reading copy, be further amended as follows:

1. Page 14.

Following: line 21

Insert: "This estimate is based on an assumption of a continuation of Montana law as it existed on January 1, 1985."

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Garcia, Menahan, Smith, Williams.

Total 4

Absent or not voting: Ellison, Hansen, Kadas, O'Connell.

Total 4

Representative Waldron moved that HJR 9, as amended, do pass.

Representative Marks made a substitute motion that HJR 9 be placed below HB 288. Motion carried.

HB 274 - That HB 274 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Darko, Devlin, Driscoll, Ernst, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Keenan, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Rapp-Svrcek, Ream, Sales, Schye, Swift, Switzer, Thoft, Thomas, Wallin, Zabrocki, Mr. Speaker.

Total 72

Noes: Asay, Bardanouve, Campbell, Ellerd, Ellison, Eudaily, Hannah, Jones, Keller, Koehnke, Patterson, Peck, Ramirez, Raney, Rehberg, Sands, Schultz, Simon, Spaeth, Winslow.

Total 20

Excused: Garcia, Menahan, Smith, Williams.

Total 4

Absent or not voting: Compton, Donaldson, Kadas, Waldron.

Total 4

HB 288 - That HB 288 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Garcia, Menahan, Smith, Williams.

Total 4

Absent or not voting: Kadas.

Total 1

Representative Garcia present at this time.

HJR 9 - That HJR 9, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly,

Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: D. Brown, Driscoll, Montayne.

Total 3

Excused: Menahan, Smith, Williams.

Total 3

Absent or not voting: None.

Total 0

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ream moved the adoption of the committee report. Report adopted. (90-4)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 236 passed as follows:

Ayes: Abrams, Asay, Bachini, Bradley, D. Brown, Campbell, Cobb, Cody, Compton, Darko, Devlin, Driscoll, Ernst, Fritz, Garcia, Gould, Grady, Hammond, Hand, Hanson, Harbin, Harp, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Ream, Rehberg, Schultz, Schye, Simon, Spaeth, Switzer, Winslow, Zabrocki.

Total 63

Noes: Addy, Bardanouve, Bergene, Brandewie, J. Brown, Cohen, Connelly, Donaldson, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Hannah, Hansen, Harper, Hayne, Kadas, Keller, Kitselman, Mercer, Miles, Nelson, O'Hara, Ramirez, Rapp-Svrcek, Sales, Sands, Swift, Thoft, Thomas, Waldron, Wallin, Mr. Speaker.

Total 34

Paired: Menahan, Aye; Ellerd, No.

Excused: Smith, Williams.

Total 2

Absent or not voting: Kennerly.

Total 1

HB 443 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst,

Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Garcia.

Total 1

Paired: Keenan, Aye; Garcia, No.

Excused: Menahan, Smith, Williams.

Total 3

Absent or not voting: None.

Total 0

HB 596 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Menahan, Smith, Williams.

Total 3

Absent or not voting: Hansen.

Total 1

HB 600 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: Abrams, D. Brown, Campbell, Driscoll, Hart, Krueger, Manuel, Sales.

Total 8

Excused: Menahan, Smith, Williams.

Total 3

Absent or not voting: None.

Total 0

HB 612 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Ellerd, Eudaily, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Jenkins, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Miles, Montayne, J. Moore, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Schye, Spaeth, Waldron, Zabrocki, Mr. Speaker.

Total 53

Noes: Abrams, Asay, Brandewie, D. Brown, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Ernst, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Iverson, Jones, Keller, Keyser, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, Patterson, Peterson, Phillips, Poff, Ramirez, Rehberg, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 45

Paired: Quilici, Aye; Smith, No.

Excused: Menahan, Williams.

Total 2

Absent or not voting: None.

Total 0

HB 644 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Menahan, Smith, Williams.

Total 3

Absent or not voting: Keyser.

Total 1

HB 681 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanoue, Bradley, J. Brown, Campbell, Cody, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Fritz, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Krueger, McCormick, Manuel, Mercer, Miles, Miller, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Spaeth, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 67

Noes: Asay, Bergene, Brandewie, D. Brown, Cobb, Cohen, Compton, Devlin, Ellerd, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hannah, Jones, Kitselman, Koehnke, Marks, Montayne, J.K. Moore, Nelson, Patterson, Poff, Sales, Swift, Switzer, Thoft.

Total 29

Excused: Menahan, Smith, Williams.

Total 3

Absent or not voting: Lory.

Total 1

HJR 18 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanoue, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Zabrocki, Mr. Speaker.

Total 91

Noes: Gilbert, Glaser, Hannah, Patterson, Winslow.

Total 5

Excused: Menahan, Smith, Williams.

Total 3

Absent or not voting: Marks.

Total 1

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/14/85

Correctly printed: HB 480, HB 595, HB 626, HJR 16.

Considered correctly engrossed: HB 65, HB 732, HJR 21.

Delivered to the Governor for his approval at 9:47 a.m., 2/14/85: HB 77, HB 142, HB 148.

HUMAN SERVICES AND AGING (Keenan, Chairman):

2/13/85

HB 595, do pass. Report adopted.

HB 646, do pass. Report adopted.

HJR 16, do pass. Report adopted.

Adverse Committee Report

HB 409, do not pass.

JUDICIARY (Hannah, Chairman):

2/14/85

HB 522, introduced bill, be amended as follows:

1. Page 5, line 15.

Strike: "No"

Insert: "Only one 20-day"

2. Page 5, line 17.

Following: "days"

Insert: "or within the 20-day extension"

And, as amended, do pass. Report adopted.

HB 656, introduced bill, be amended as follows:

1. Page 1, line 22.

Following: "the"

Strike: "division of"

Following: "compensation"

Insert: "judge"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 304, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Raney, Ream, Rehberg, Sales, Sands, Schultz, Simon, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 73

Noes: D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Fritz, Harbin, Harper, Kadas, Keenan, Kitselman, Marks, Mercer, Miles, O'Hara, Peck, Poff, Ramirez, Rapp-Svrcek, Schye, Spaeth, Waldron.

Total 23

Excused: Menahan, Smith, Williams.

Total 3

Absent or not voting: Asay.

Total 1

HB 619, do not pass.

STATE ADMINISTRATION (Sales, Chairman):

2/14/85

Adverse Committee Report

HB 603, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ernst, Eudaily, Fritz, Glaser, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller,

Kennerly, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 84

Noes: D. Brown, Driscoll, Garcia, Gilbert, Gould, Hansen, Keenan, Keyser, Kitselman, Krueger, Pavlovich, Quilici.

Total 12

Excused: Menahan, Smith, Williams.

Total 3

Absent or not voting: Ellison.

Total 1

MOTIONS

Representative Marks moved that HJR 9 be reprinted with the second reading amendments that were adopted, and that consideration of HJR 9, third reading, be passed until the 45th legislative day. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 12:00 p.m., February 15, 1985.

Motion carried.

House adjourned at 3:15 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

THIRTY-FIFTH LEGISLATIVE DAY

Helena, Montana
February 15, 1985

House Chambers
State Capitol

House convened at 12:00 p.m., Mr. Speaker in the Chair. Invocation by Father Jim Reeves. Pledge of Allegiance to the Flag.

Roll call. All members present except Compton, Williams, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the thirty-fourth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/14/85

Considered correctly engrossed: HB 254, HB 288, HB 575, HB 579, HB 605, HB 621, HB 800.

Correctly engrossed: HB 683, HJR 9.

2/15/85
Correctly printed: HB 342, HB 471, HB 522, HB 526, HB 646, HB 656.

Considered correctly engrossed: HB 274.

BUSINESS AND LABOR (Pavlovich, Chairman): 2/14/85

HB 295, introduced bill, be amended as follows:

1. Page 2, line 6.

Following: line 5

Strike: subsection (5) in its entirety

Renumber: subsequent subsections

2. Page 2, line 17.

Following: "61-1-130"

Insert: "or a truck with 10,000 pounds or more gross vehicle weight rating"

3. Page 5, line 1.

Following: "plus"

Insert: "reasonable"

Following: "charges"

Strike: " "₂ "

4. Page 5, line 2.

Following: line 1

Strike: "finance charges."

5. Page 6, line 2.

Following: "express"

Strike: "and implied"

6. Page 8, line 23.

Following: "to"

Strike: "injure"

Insert: "create hardship to"

7. Page 11, line 8.

Following: line 7

Insert: "(5) The manufacturer's fee provided in subsection (3) is due only if the department arbitration procedures are utilized."

8. Page 14, line 3.

Following: "Section 17."

Strike: remainder of lines 3 through 16 in their entirety

Insert: "Nondelegable. The liabilities and obligations contained in this act may not be delegated or assigned to or assumed by any other person or entity."

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 295

A statement of intent is required for this act because it delegates rule-making authority to the department of commerce. The department may adopt rules governing certification and auditing of manufacturers' informal dispute settlement procedures and procedures for consumers to implement the arbitration procedures of the department. It is the intent of the legislature that in developing these rules, the department look to procedures utilized by the state of Connecticut in implementing its "Lemon Law II".

HB 598, introduced bill, be amended as follows:

1. Title, line 6.

Following: "SEMIANNUAL"

Insert: "OR ANNUAL"

2. Page 2, line 1.

Following: "basis"

Insert: "at refinery terminals"

3. Page 2, line 4.

Following: "election"

Insert: ", and on an annual basis at pipeline terminals, with the election to be made on October 1 for the 12-month period following the election"

And, as amended, do pass. Report adopted.

HB 599, do pass. Report adopted.

Adverse Committee Reports

HB 583, do not pass.

2/14/85

2/15/85

HB 234, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 86

Noes: Addy, D. Brown, Driscoll, Fritz, Harrington, Hart, Krueger, O'Connell, Pavlovich, Spaeth, Waldron.

Total 11

Excused: Compton, Williams.

Total 2

Absent or not voting: Hansen.

Total 1

HB 477, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Connelly, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 78

Noes: Bardanouve, D. Brown, Darko, Gould, Hammond, Harp, Harrington, Hart, Keenan, Krueger, Menahan, Montayne, J.K. Moore, Nisbet, Pavlovich, Pistoria, Quilici, Schye.

Total 18

Excused: Compton, Williams.

Total 2

Absent or not voting: Driscoll, Fritz.

Total 2

HB 485, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Asay, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Connelly, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, O'Hara, Patterson, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 74

Noes: Addy, Bachini, Bardanouve, D. Brown, Darko, Driscoll, Garcia, Harp, Harrington, Hart, Kadas, Keenan, Krueger, McCormick, Menahan, Montayne, Nisbet, O'Connell, Pavlovich, Pistoria, Schye, Spaeth, Waldron.

Total 23

Excused: Compton, Williams.

Total 2

Absent or not voting: Fritz.

Total 1

HB 593, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bergene, Bradley, J. Brown, Campbell, Cobb, Cody, Cohen, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miles, J.K. Moore, J. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 75

Noes: Bachini, Bardanouve, D. Brown, Gould, Hammond, Harp, Harrington, Hart, Keenan, Krueger, Menahan, Miller, Montayne, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Quilici, Spaeth, Switzer.
Total 21

Excused: Compton, Williams.
Total 2

Absent or not voting: Brandewie, Driscoll.
Total 2

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman):
2/15/85

Adverse Committee Report

HB 330, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cody, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 83

Noes: Bergene, D. Brown, Cobb, Cohen, Connelly, Harp, Harper, Hart, Manuel, O'Connell, Pavlovich, Pistoria, Spaeth.
Total 13

Excused: Compton, Williams.
Total 2

Absent or not voting: Driscoll, Koehnke.
Total 2

FISH AND GAME (Ream, Chairman):
HB 734, introduced bill, be amended as follows: 2/14/85

1. Page 2, line 11.
Following: "license"
Insert: "if"

2. Page 2, line 12.

Following: "license"

Strike: "in the same year"

Following: "."

Insert: "If a current Class A-5 license is surrendered, as required by this section, the Class A-7 license must be issued without cost to the holder."

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 751, do not pass.

HIGHWAYS AND TRANSPORTATION (Harp, Chairman):

2/14/85

HB 331, do pass. Report adopted.

HB 452, do pass. Report adopted.

HJR 30, do pass. Report adopted.

Adverse Committee Report

HB 697, do not pass.

HUMAN SERVICES AND AGING (Keenan, Chairman):

2/13/85

HB 235, introduced bill, be amended as follows:

1. Title, lines 4 through 7.

Following: "AN ACT"

Strike: lines 4 through 7 in their entirety

Insert: "TO REQUIRE AN ANESTHESIOLOGIST, ANESTHETIST, OR OTHER TRAINED PROFESSIONAL TO ADMINISTER AND MONITOR GENERAL ANESTHETICS DURING DENTAL PROCEDURES; TO GRANT THE BOARD OF DENTISTRY AUTHORITY TO ADOPT RULES REGULATING DENTAL ANESTHETICS AND DENTAL ADVERTISING; AMENDING SECTIONS 37-4-101 AND 37-4-205, MCA."

2. Pages 1 through 4.

Strike: everything following the enacting clause

Insert: "Section 1. Section 37-4-101, MCA, is amended to read:

"37-4-101. Definitions — practice of dentistry. (1) Unless the context requires otherwise, in this chapter the following definitions apply:

(a) "Board" means the board of dentistry provided for in 2-15-1842.

(b) "Department" means the department of commerce provided for in Title 2, chapter 15, part 18.

(c) "General anesthesia" means a state of unconsciousness intentionally produced by anesthetic agents, with absence of pain sensation over the entire body and a greater or lesser degree of muscular relaxation. The drugs producing this state can be administered by inhalation, intravenously, intramuscularly, or via the gastrointestinal tract.

(d) "General anesthetic" means any recognized anesthetic agent, sedative, hypnotic, tranquilizer, or narcotic used in sufficient prescribed dosages for the purpose of inducing general anesthesia. The term general anesthetic does not include a nitrous oxide/oxygen mixture used for the purpose of achieving analgesia during dental procedures or other oral surgical procedures.

(2) A person is "practicing dentistry" under this chapter if he:

(a) performs, attempts, advertises to perform, causes to be performed by the patient or any other person, or instructs in the performance of dental operations, oral surgery, or dental service of any kind gratuitously or for a salary, fee, money, or other remuneration paid or to be paid, directly or indirectly, to himself, any other person, or agency;

(b) is a manager, proprietor, operator, or conductor of a place where dental operations, oral surgery, or dental services are performed;

(c) directly or indirectly, by any means or method, furnishes, supplies, constructs, reproduces, or repairs a prosthetic denture, bridge, appliance, or other structure to be worn in the human mouth;

(d) places the appliance or structure in the human mouth or attempts to adjust it;

(e) advertises to the public, by any method, to furnish, supply, construct, reproduce, or repair a prosthetic denture, bridge, appliance, or other structure to be worn in the human mouth;

(f) diagnoses, professes to diagnose, prescribes for, professes to prescribe for, treats, or professes to treat disease, pain, deformity, deficiency, injury, or physical condition of human teeth, jaws, or adjacent structures;

(g) extracts or attempts to extract human teeth or corrects, attempts, or professes to correct malpositions of teeth or of the jaw;

(h) gives or professes to give interpretations or readings of dental roentgenograms;

(i) administers an anesthetic of any nature, subject to the limitations provided in [section 2], in connection with a dental operation;

(j) uses the words "dentist", "dental surgeon", "oral surgeon", the letters "D.D.S.", "D.M.D.", or any other words, letters, title, or descriptive matter which in any way represents him as being able to diagnose, treat, prescribe, or operate for any disease, pain, deformity, deficiency, injury, or physical condition of human teeth, jaws, or adjacent structures;

(k) states, advertises, or permits to be stated or advertised, by sign, card, circular, handbill, newspaper, radio, or otherwise, that he can perform or will attempt to perform dental operations or render a diagnosis in connection therewith; or

(l) engages in any of the practices included in the curricula of recognized dental colleges."

NEW SECTION. Section 2. Limitations on the administration of general anesthetics and practices involving general anesthesia. (1) No person engaged in the practice of dentistry or oral surgery may perform any dental or surgical procedure upon another person if a general anesthetic is administered unless such anesthetic is administered and monitored by:

(a) an anesthesiologist licensed to practice medicine by the state board of medical examiners;

(b) a nurse anesthetist recognized in that specialty by the state board of nursing; or

(c) another health professional who has received at least 1 year of postgraduate training in the administration of general anesthesia.

(2) No person engaged in the practice of dentistry or oral surgery may conduct any dental or surgical procedure upon another person under general anesthesia unless the vital signs of the patient are continually monitored by another health professional who meets the qualifications for an anesthesiologist, nurse anesthetist, or other trained health professional as provided for in subsection (1)(a).

(3) No person engaged in the practice of dentistry or oral surgery may administer a general anesthetic to any other person unless he satisfies the requirements for a person qualified to administer a general anesthetic, as provided in subsection (1)(a), and meets any additional standards established by the board of dentistry for training in the administration of general anesthesia and in the treatment of the complications thereof. This subsection does not affect the requirements for monitoring of vital signs by another health professional under subsection (1)(b).

(4) The facility in which general anesthesia is to be administered as part of a dental or surgical procedure must be equipped with proper drugs and equipment to safely administer anesthetic agents, to monitor the well-being of the patient under general anesthesia, and to treat the complications that may arise from general anesthesia.

Section 3. Section 37-4-205, MCA, is amended to read:

“37-4-205. Rulemaking. The board may adopt, amend, or repeal rules necessary for the implementation, continuation, and enforcement of this chapter in accordance with the Montana Administrative Procedure Act. Rules adopted under this section may include but are not limited to the following subjects:

(1) the practice of dentistry or oral surgery involving the administration of anesthetics; and

(2) advertising by a licensed dentist including:

(a) the use of false, deceptive, or misleading advertising;

(b) the use of information concerning fees, areas of practice, specialization, personal background, and quality of service in advertising; and

(c) the use of warnings and disclaimers in advertising.”

NEW SECTION. Section 4. Codification instruction. Section 2 is intended to be codified as an integral part of Title 37, chapter 4, and the provisions of Title 37, chapter 4, apply to section 2.”

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 235

A statement of intent is required for this bill because it contains a delegation of authority to allow the board of dentistry to adopt rules to regulate dental advertising and dental procedures involving the administration of anesthetics.

The legislature finds that no person who engages in the practice of dentistry or oral surgery should perform a dental or surgical procedure upon

another person if a general anesthetic or general anesthesia is administered unless there is another qualified health professional available to monitor the patient. The legislature intends that any rule regulating dental anesthetics adopted by the board should be consistent with this finding.

The legislature intends that the board impose additional, necessary requirements for the training and skill of individuals who administer and monitor general anesthesia, deep conscious sedation, or any anesthetic agent used in pain control. In preparing its rules, the board should be guided by the principles stated in the "American academy of oral and maxillofacial surgeons' Model State Rules for General Anesthesia" and any other guide pertinent to the subject.

Lastly, it is contemplated that the board will develop and implement appropriate rules regulating advertising practices by licensed dentists. The scope of such rules should extend to the content and purpose of such advertising as indicated in section 3. Such rules should have as a purpose the protection of the public from unprofessional advertising and the maintenance of professional standards in advertising by persons engaged in the practice of dentistry.

HB 526, introduced bill, be amended as follows:

1. Page 2, lines 4 and 5.

Following: "household," on line 4

Strike: "After initial denials of other reasonably available programs of assistance, a"

Insert: "A"

2. Page 2, line 8.

Following: "for"

Strike: "those"

Insert: "other reasonably available assistance"

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 318, do not pass.

JUDICIARY (Hannah, Chairman):

2/15/85

HB 276, do pass. Report adopted.

HB 643, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

2/14/85

HB 631, introduced bill, be amended as follows:

1. Title, line 7.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 1.

Following: line 20

Insert: "NEW SECTION. Section 2. Effective date. This act is effective July 1, 1985."

And, as amended, do pass. Report adopted.

HB 641, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "AND SERVICES"

2. Title, line 7.

Following: ";

Insert: "ALLOWING SPECIAL PURCHASING PROCEDURES FOR OFFICE SUPPLIES;"

3. Page 2.

Following: line 6

Insert: "(4) Notwithstanding 18-4-123(19), "office supply" means an item included under the office supply commodity class codes maintained by the department."

Renumber: subsequent subsections

4. Page 3, line 13.

Following: "department"

Strike: ", "

Insert: "²or"

5. Page 3, lines 13 through 15.

Strike: ",or" on line 13 through "procured" on line 15

6. Page 3, line 15.

Strike: "or service"

7. Page 3, line 18.

Following: "Any"

Insert: "office"

Following: "supply"

Strike: "or service"

8. Page 3, line 20.

Strike: "using"

Insert: "purchasing"

9. Page 3, line 24.

Following: "which the"

Insert: "office"

Following: "supply"

Strike: "or service"

10. Page 4, line 1.

Following: "state"

Insert: "office supply"

And, as amended, do pass. Report adopted.

HB 816, do pass. Report adopted.

Adverse Committee Report

HB 771, do not pass.

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

February 14, 1985

Dear Mr. Speaker:

Please be informed that I have signed House bill 142 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 2/14/85

HB 3, introduced by Marks

Senate bills passed and transmitted to the House for concurrence: 2/14/85

SB 146, introduced by Fuller, et al.

SB 194, introduced by Manning, et al.

SB 201, introduced by Boylan, Schultz

SB 212, introduced by Eck, et al.

MOTIONS

Representative Harp moved that HR 2 be taken from second reading and referred to the House Committee on Rules. Motion carried.

Representative Switzer moved that the rules be temporarily suspended to allow for the drafting and introduction of a late House joint resolution dealing with grazing fees on the Charlie Russell Wildlife Refuge. Motion carried.

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committees:

HB 827, introduced by Lory, Brandewie, Harper, Eck, Halligan, Waldron. Referred to Committee on Natural Resources.

HB 828, introduced by Ream, Mohar, Christiaens, Eck, Jacobson. Referred to Committee on Fish and Game.

HB 829, introduced by Kadas. Referred to Committee on Local Government.

HB 830, introduced by J. Moore, Pistoria, Cody, Harbin, Kennerly, Hayne, Peterson, Nelson, Compton, Phillips, Fritz, Holliday, C. Smith, Sales, Jenkins, (By Request of the House State Administration Committee). Referred to Committee on State Administration.

HB 831, introduced by Mercer, Gould, O'Hara, Nathe, Spaeth, Connelly. Referred to Committee on Judiciary.

HB 832, introduced by Kadas. Referred to Committee on Local Government.

HB 833, introduced by Spaeth. Referred to Committee on Taxation.

HB 834, introduced by Bergene. Referred to Committee on Judiciary.

HB 835, introduced by Bergene, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Appropriations.

HB 836, introduced by Glaser, Simon. Referred to Committee on Education and Cultural Resources.

HB 837, introduced by Pavlovich. Referred to Committee on Judiciary.

HB 838, introduced by J. Moore, Peterson, O'Hara, J. Brown, Kennerly, Cohen, Bradley, Compton. Referred to Committee on Taxation.

HB 839, introduced by Ellison, Brandewie, Asay, Grady, Harper, Rehberg, Donaldson, Schye. Referred to Committee on Taxation.

HB 840, introduced by Hanson, E. Smith, Nathe, Abrams, Gilbert. Referred to Committee on Business and Labor.

- HB 841**, introduced by Eudaily. Referred to Committee on Local Government.
- HB 842**, introduced by Lory, Donaldson, Quilici, Eudaily, Keating, Connelly, Gage. Referred to Committee on State Administration.
- HB 843**, introduced by the Appropriations Committee, (By Request of the House Appropriations Committee). Referred to Committee on Appropriations.
- HB 844**, introduced by Patterson, Asay, Hannah, D. Brown, Spaeth, Keller, Jenkins, Hager, Switzer, Nathe, Cobb, Keating, Devlin, Grady, Ernst, Glaser, Bengtson. Referred to Committee on Taxation.
- HB 845**, introduced by Schye, H. Hammond. Referred to Committee on Taxation.
- HB 846**, introduced by Schye, Bachini, Peck, Compton, Iverson, Bardanouve, Cody, Stephens, H. Hammond. Referred to Committee on Natural Resources.
- HB 847**, introduced by Goodover, Winslow, Hannah, Galt, Kolstad, J.K. Moore, H. Hammond, Thayer, Story, Farrell, Hager, Harding, Gage, Tveit. Referred to Committee on Taxation.
- HB 848**, introduced by Ramirez, Stephens, Crippen, Devlin. Referred to Committee on Taxation.
- HB 849**, introduced by Donaldson, Van Valkenburg, (By Request of the Legislative Finance Committee). Referred to Committee on Education and Cultural Resources.
- HB 850**, introduced by Pistoria, J.K. Moore, Miller, McCormick, Koehnke, O'Connell, Nisbet. Referred to Committee on Appropriations.
- HB 851**, introduced by Pistoria. Referred to Committee on Taxation.
- HB 852**, introduced by Harp, Jacobson, Hand, Asay, Quilici, Marks, Crippen, Hirsch, Stimatz, Neuman, Lynch, Keating, O'Connell, Driscoll, Stephens, Regan, Manuel, Menahan, Pavlovich, Brandewie, Jones. Referred to Committee on Business and Labor.
- HJR 31**, introduced by J. Brown, Fuller, Campbell, Rehberg, Hand. Referred to Committee on Business and Labor.

MOTIONS

Representative Harper moved that the House recess until 1:30 p.m. to allow both parties to caucus. Motion carried.

House recessed at 12:20 p.m.

House reconvened at 1:45 p.m.

Representative Compton present at this time.

Representative Brandewie excused at this time.

REPORTS OF STANDING COMMITTEES

- BILLS (Menahan, Chairman):** 2/15/85
- Correctly printed: HB 276, HB 331, HB 409, HB 452, HB 599, HB 619, HB 631, HB 641, HB 643, HB 813, HB 816, HJR 30.
- Considered correctly engrossed: HB 365, HB 724.
- Correctly enrolled: HB 9, HB 34, HB 94, HB 116, HB 195, HJR 3.
- Examined by the sponsor (Eudaily) and found to be correct: HB 9, HJR 3.
- Examined by the sponsor (Keenan) and found to be correct: HB 34.
- Examined by the sponsor (Ernst) and found to be correct: HB 94.
- Examined by the sponsor (Miles) and found to be correct: HB 116.
- Examined by the sponsor (Garcia) and found to be correct: HB 195.

HUMAN SERVICES AND AGING (Keenan, Chairman):

2/14/85

Adverse Committee Report

HB 409 - Representatives Waldron, Kadas, J. Brown, Connelly, Hansen, Simon, Gould, Driscoll, J. Hammond, Asay, Lory, Eudaily, C. Smith, Phillips, Patterson, Devlin, Ream, Fritz, Zabrocki, and Koehnke objected to the adverse committee report on HB 409, and requested that the bill be printed and placed on second reading. 2/14/85

HUMAN SERVICES AND AGING (Keenan, Chairman): 2/15/85

HB 360, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "30"

Insert: "15"

2. Page 2, line 17.

Strike: "30"

Insert: "15"

And, as amended, do pass. Report adopted.

HB 594, introduced bill, be amended as follows:

1. Page 1, line 20.

Following: "department"

Insert: "or the responsible political subdivision"

2. Page 1, line 24.

Following: "department"

Insert: "or the responsible political subdivision"

3. Page 2, line 3.

Following: "department"

Insert: "or the responsible political subdivision"

4. Page 2, line 8.

Following: "department"

Insert: "or the responsible political subdivision"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 357, introduced bill, be amended as follows:

1. Title, line 6.

Following: "HEADGEAR;"

Insert: "PROVIDING AN EXCEPTION FOR A MECHANIC TEST DRIVING A MOTORCYCLE;"

2. Page 1, line 11.

Following: "."

Insert: "(1)"

3. Page 1, line 12.

Following: "riders."

Strike: "An"

Insert: "Except as provided in subsection (2), an"

4. Page 1.

Following: line 16

Insert: "(2) A mechanic test driving a motorcycle in the course of servicing or repairing the motorcycle is not required to wear protective headgear."

And, as amended, do not pass.

HB 619 - Representatives Krueger, Bergene, O'Hara, Keyser, Eudaily, D. Brown, Schultz, Ellerd, Sands, Hannah, Cobb, Patterson, Ellison, Jones, C. Smith, Sales, Glaser, Spaeth, Wallin, and Gilbert objected to the adverse committee report on HB 619, and requested that the bill be printed and placed on second reading. 2/15/85

LOCAL GOVERNMENT (Darko, Chairman): 2/14/85

HB 414, introduced bill, be amended as follows:

1. Page 1, line 22.
Following: "specified"
Insert: "for the sheriff"

2. Page 1, line 24.
Following: "7-4-2508"
Insert: "and 7-4-2510"

3. Page 2, lines 1 and 2.
Following: "salary"
Strike: "and" through "7-4-2510" on line 2

And, as amended, do pass. Report adopted.

HB 483, introduced bill, be amended as follows:

1. Page 2, line 16.
Strike: "clerks."
Insert: "clerk and recorders, who shall then cause a copy of the instrument to be filed with the secretary of state.

(5) Any assets of the district after dissolution shall be distributed pro rata by taxable valuation to the general funds of the counties in which the district was located."

And, as amended, do pass. Report adopted.

HB 484, introduced bill, be amended as follows:

1. Page 1, lines 18 and 19.
Strike: "does not add or exclude land from the district but"
Following: "is"
Insert: "intended"

2. Page 1, line 23.
Following: "district"
Insert: "and mailed to the owner or owners of record of the property described in subsection (2)(a)"

3. Page 1, line 24.
Following: "comments"
Insert: "and receiving written consent by the owner or owners of the property described in subsection (2)(a)"

And, as amended, do pass. Report adopted.

HB 496, introduced bill, be amended as follows:

1. Page 7, line 20.
Strike: "9"
Insert: "10"

2. Page 8, line 19.
Strike: "10"
Insert: "11"

And, as amended, do pass. Report adopted.

HB 654, introduced bill, be amended as follows:

1. Title, line 6.
Strike: "SHERIFF"
Insert: "GENERAL FUND"
2. Page 1, line 25.
Strike: "sheriff"
Insert: "general fund"

And, as amended, do pass. Report adopted.

HB 687, introduced bill, be amended as follows:

1. Page 1, line 19.
Following: "(2)"
Insert: "(a)"
2. Page 1, line 25.
Following: "county."
Insert: "The destruction of such records must be done in accordance with the provisions of such schedules."

(b) If a schedule has not been adopted and approved under the provisions of subsection (2)(a), such records may be destroyed by any county officer after a period of 25 years."
3. Page 2, line 15.
Following: "(3)"
Insert: "(a)"
4. Page 2, line 21.
Following: "town."
Insert: "The destruction of such records must be done in accordance with the provisions of such schedules."

(b) If a schedule has not been adopted and approved under the provisions of subsection (3)(a), such records may be destroyed by any city or town officer after a period of 5 years."

And, as amended, do pass. Report adopted.

HB 727, introduced bill, be amended as follows:

1. Title, line 7.
Strike: "AND TO PROTECT GROUND WATER FROM CONTAMINATION"
2. Page 3, line 12.
Following: ".,"
Insert: "and"
3. Page 3, line 15.
Following: "systems"
Insert: "that have service connections from at least five separate parcels of land"
4. Page 3, line 18.
Strike: "., and"
Insert: ".,"
5. Page 3, lines 19 through 23.
Strike: subsection (vi) in its entirety

6. Page 4, line 3.

Strike: "\$500"

Insert: "\$200"

And, as amended, do pass. Report adopted.

HB 813, do pass. Report adopted.

HB 818, introduced bill, be amended as follows:

1. Title, line 7.

Following: "TO"

Insert: "PUBLIC"

2. Page 1, line 20.

Following: "to"

Insert: "publicly owned"

3. Page 1, line 25.

Following: "exhibits"

Insert: "as set forth in 7-16-2202"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 384, do not pass.

HB 385, do not pass.

HB 504, do not pass.

HB 545, do not pass.

HB 647, do not pass.

STATE ADMINISTRATION (Sales, Chairman):

2/15/85

HB 613, introduced bill, be amended as follows:

1. Title, line 6.

Following: "TO"

Strike: "THE"

Insert: "A"

Strike: "THE OFFICIAL"

Insert: "A"

Following: "BALLOT"

Insert: "ISSUE"

2. Page 1, line 19.

Strike: "the"

Insert: "a"

Following: "ballot"

Insert: "issue"

3. Page 2, line 12.

Strike: "the"

Insert: "a"

Following: "ballot"

Insert: "issue"

And, as amended, do pass. Report adopted.

HB 650, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 650

It is the intent of the legislature to give electors the opportunity to publicly declare their party preference for the presidential primary ballot only

and to have that preference recorded. The secretary of state should prescribe the form of the precinct register, as provided in 13-1-202, to allow designation of preference for any party with a candidate on the presidential primary ballot. The form prescribed by the secretary of state should also give the elector an opportunity to declare that he does not intend to participate in the presidential primary.

HB 655, introduced bill, be amended as follows:

1. Title, line 8.
Strike: "BOARD" through ",",
2. Title, line 11.
Following: "19-4-606,"
Insert: "AND"
3. Title, lines 11 and 12.
Strike: "AND" on line 11 through ",", on line 12
4. Page 3, line 14 through line 17, page 4.
Strike: section 4 in its entirety
Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 721, do pass. Report adopted.

HB 792, introduced bill, be amended as follows:

1. Title, lines 4 and 5.
Strike: "EXPANDING" on line 4 through "PROVIDE" on line 5
Insert: "CREATING AN OFFICE OF STATE COORDINATOR OF ETHNIC AFFAIRS; PROVIDING"
2. Page 1, line 15.
Following: " "
Insert: "office of state"
3. Page 1, line 16.
Following: "affairs"
Insert: "and an office of state coordinator of ethnic affairs"
Strike: "The"
Insert: "Each"
4. Page 1, line 19.
Following: "coordinator"
Insert: "of Indian affairs"
5. Page 1, lines 23 through 25.
Strike: "The" on line 23 through " " on line 25
6. Page 2, line 1.
Following: "appointed"
Insert: "by the governor"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 604, do not pass.

HB 628, do not pass.

HB 645, do not pass.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Winslow in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 501 - That HB 501 do pass. Motion failed as follows:

Ayes: Asay, Campbell, Cobb, Ellerd, Hanson, Jones, Keyser, Mercer, J.K. Moore, Nathe, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Sales, Sands, Smith, Swift, Thomas, Waldron, Wallin, Zabrocki.
Total 23

Noes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, Peck, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Schye, Simon, Spaeth, Switzer, Thoft, Winslow, Mr. Speaker.
Total 75

Excused: Brandewie, Williams.
Total 2

Absent or not voting: None.
Total 0

That HB 501 do not pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, Patterson, Peck, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Schye, Simon, Spaeth, Switzer, Thoft, Winslow, Zabrocki, Mr. Speaker.
Total 77

Noes: Asay, Campbell, Cobb, Ellerd, Hanson, Jones, Keyser, Mercer, J.K. Moore, Nathe, O'Hara, Pavlovich, Peterson, Phillips, Sales, Sands, Smith, Swift, Thomas, Waldron, Wallin.
Total 21

Excused: Brandewie, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 724 - That HB 724 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell,

O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Hansen, Menahan.

Total 2

Excused: Brandewie, Williams.

Total 2

Absent or not voting: Pavlovich.

Total 1

HB 725 - Representative Bardanouve moved that HB 725, second reading copy, be amended as follows:

1. Page 2, lines 10 through 13.

Following: "2." on line 10

Strike: remainder of lines 10 through 13

Insert: "Site recommendation. The Montana arts council shall recommend a site in front of the capitol for display of the sculpture. In selecting a recommended location, the council shall give consideration to an aesthetically pleasing and balanced presentation of the sculpture. Special consideration shall be given to the relationship between the sculpture, the capitol, and the statue of General Meagher. The council shall consult with the department of administration in selecting the site."

2. Page 2, lines 17 and 18.

Following: "sculpture and" on line 17

Strike: "the"

Insert: "its"

Following: "placement" on line 17

Strike: "of" through "statue" on line 18

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Campbell, Cobb, Cody, Cohen, Connelly, Darko, Donaldson, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gould, Grady, Hammond, Hand, Hansen, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Jenkins, Jones, Kadas, Kennerly, Koehnke, Lory, Manuel, Mercer, Miles, Miller, J. Moore, Nathe, Nelson, Nisbet, Peck, Peterson, Pistoria, Poff, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Thoft, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 66

Noes: D. Brown, Compton, Devlin, Driscoll, Ellison, Gilbert, Glaser, Hannah, Hanson, Harrington, Keenan, Keller, Keyser, Kitselman, Krueger, McCormick, Marks, Menahan, Montayne, J.K. Moore, O'Connell, O'Hara, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Schultz, Swift, Switzer, Thomas.

Total 31

Excused: Brandewie, Williams.

Total 2

Absent or not voting: Iverson.

Total 1

Representatives Koehnke and Rapp-Svrcek excused at this time.

That HB 725, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Cobb, Cohen, Connelly, Darko, Donaldson, Ellerd, Eudaily, Fritz, Garcia, Gould, Hammond, Hand, Hansen, Harbin, Harper, Hart, Holliday, Howe, Kadas, Lory, Manuel, Mercer, Miles, Miller, Nathe, Nisbet, Peck, Pistoria, Quilici, Raney, Ream, Sales, Sands, Schye, Spaeth, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 49

Noes: Asay, D. Brown, Campbell, Cody, Compton, Devlin, Driscoll, Ellison, Ernst, Gilbert, Glaser, Grady, Hannah, Hanson, Harp, Harrington, Hayne, Iverson, Jenkins, Jones, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, McCormick, Marks, Menahan, Montayne, J.K. Moore, J. Moore, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Poff, Ramirez, Rehberg, Schultz, Simon, Smith, Swift, Switzer, Thomas.
Total 48

Paired: Addy, Williams, Ayes; Keenan, Koehnke, Noes.

Excused: Brandewie, Rapp-Svrcek.
Total 2

Absent or not voting: Kennerly.
Total 1

HB 365 - That HB 365 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Brandewie, Koehnke, Rapp-Svrcek, Williams.
Total 4

Absent or not voting: Marks.
Total 1

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Winslow moved the adoption of the committee report. Report adopted. (86-3)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 65 passed as follows:

Ayes: Abrams, Bachini, Bardanouve, D. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hansen, Harbin, Harp, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Kennerly, Keyser, Kitselman, Lory, McCormick, Manuel, Menahan, Mercer, Montayne, J. Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sands, Schye, Smith, Switzer, Waldron, Wallin, Zabrocki, Mr. Speaker.

Total 65

Noes: Addy, Asay, Bergene, Bradley, J. Brown, Connelly, Ellerd, Ellison, Ernst, Hannah, Hanson, Harper, Hayne, Kadas, Keller, Krueger, Miles, Miller, J.K. Moore, Nelson, O'Hara, Sales, Schultz, Simon, Spaeth, Swift, Thoft, Thomas, Winslow.

Total 29

Excused: Brandewie, Koehnke, Rapp-Svrcek, Williams.

Total 4

Absent or not voting: Hammond, Marks.

Total 2

HB 254 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cobb, Compton, Connelly, Devlin, Donaldson, Ellerd, Ellison, Ernst, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harp, Harrington, Holliday, Howe, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ream, Rehberg, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 73

Noes: Campbell, Cody, Cohen, Darko, Driscoll, Eudaily, Fritz, Hansen, Harbin, Harper, Hart, Hayne, Iverson, Krueger, Lory, J. Moore, Nisbet, Ramirez, Raney, Sales, Sands, Schye, Spaeth.

Total 23

Excused: Brandewie, Koehnke, Rapp-Svrcek, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 470 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cody, Cohen, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Kadas, Keenan, Keller, Kennerly, Keyser, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Quilici, Raney, Ream, Sales, Schultz, Schye, Simon, Smith, Spaeth, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 80

Noes: Cobb, Compton, Ellison, Gilbert, Harp, Jenkins, Jones, Kitselman, Peterson, Poff, Ramirez, Rehberg, Sands, Swift, Switzer, Thoft.

Total 16

Excused: Brandewie, Koehnke, Rapp-Svrcek, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 550 passed as follows:

Ayes: Abrams, Addy, Asay, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ernst, Eudaily, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sands, Schultz, Schye, Simon, Spaeth, Switzer, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 76

Noes: Bachini, Cobb, Ellerd, Ellison, Gilbert, Hanson, Jones, Keyser, McCormick, Nathe, Peck, Peterson, Sales, Smith, Swift, Thoft, Thomas.

Total 17

Excused: Brandewie, Koehnke, Rapp-Svrcek, Williams.

Total 4

Absent or not voting: Bardanouve, Fritz, Hannah.

Total 3

HB 575 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Brandewie, Koehnke, Rapp-Svrcek, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 579 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper,

Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Lory, McCormick, Manuel, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 83

Noes: D. Brown, Cody, Ellerd, Gilbert, Glaser, Gould, Keenan, Krueger, Marks, Menahan, Nelson, Phillips, Sales.

Total 13

Excused: Brandewie, Koehnke, Rapp-Svrcek, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 605 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Brandewie, Koehnke, Rapp-Svrcek, Williams.

Total 4

Absent or not voting: Pavlovich.

Total 1

HB 621 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Brandewie, Koehnke, Rapp-Svrcek, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 683 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Raney, Ream, Sales, Sands, Schye, Spaeth, Switzer, Thomas, Waldron, Wallin, Zabrocki, Mr. Speaker.

Total 78

Noes: Asay, Campbell, Hannah, Hart, Jones, Marks, J.K. Moore, Nathe, Patterson, Phillips, Ramirez, Rehberg, Schultz, Simon, Smith, Swift, Thoft, Winslow.

Total 18

Excused: Brandewie, Koehnke, Rapp-Svrcek, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 732 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: J.K. Moore.

Total 1

Excused: Brandewie, Koehnke, Rapp-Svrcek, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 800 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe,

Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Brandewie, Koehnke, Rapp-Svrcek, Williams.

Total 4

Absent or not voting: None.

Total 0

HJR 21 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanoue, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Brandewie, Koehnke, Rapp-Svrcek, Williams.

Total 4

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 8:00 a.m., February 16, 1985.

Motion carried.

House adjourned at 3:10 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

THIRTY-SIXTH LEGISLATIVE DAY

Helena, Montana
February 16, 1985

House Chambers
State Capitol

House convened at 8:00 a.m., Mr. Speaker in the Chair. Invocation by the Representative Harper. Pledge of Allegiance to the Flag.

Roll call. All members present except Ream, Williams, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the thirty-fifth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/15/85
Correctly printed: HB 235, HB 295, HB 598, HB 734.

BUSINESS AND LABOR (Pavlovich, Chairman): 2/15/85

Adverse Committee Report

HB 583 - Representatives Wallin, Glaser, Ellerd, Simon, Thomas, Schultz, Sands, Keller, Peterson, Hayne, Jones, C. Smith, Kitselman, Harp, Winslow, Campbell, Hanson, Phillips, Nelson, and Cobb objected to the adverse committee report on HB 583, and requested that the bill be printed and placed on second reading. 2/15/85

NATURAL RESOURCES (Iverson, Chairman): 2/15/85

HB 755, do pass. Report adopted.

HB 769, do pass. Report adopted.

HB 784, do pass. Report adopted.

RULES (Ramirez, Chairman): 2/15/85

HJR 1, introduced bill, be amended as follows:

1. Page 4, line 20.

Strike: lines 20 through 24 in their entirety

And, as amended, do pass. Report adopted.

HR 2, second reading copy, be amended as follows:

1. Page 2, line 12.

Following: "the"

Strike: "fifth"

Insert: "first"

2. Page 2, line 21.

Following: "the"

Strike: "40th"

Insert: "18th"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent
Speaker of the House
State Capitol

February 15, 1985

Helena, Montana 59620

Dear Mr. Speaker:

Please be informed that I have signed House bills 77 and 148 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House: 2/15/85

HB 81, introduced by Ellison

HB 350, introduced by Schultz, et al.

Senate bills passed and transmitted to the House for concurrence: 2/15/85

SB 152, introduced by B. Brown

SB 169, introduced by Harding, et al.

SB 176, introduced by Kolstad, et al.

SB 186, introduced by Himsl, et al.

SB 193, introduced by Manning, et al.

SB 215, introduced by Haffey, et al.

SB 225, introduced by Jacobson

SB 228, introduced by Boylan, et al.

SB 229, introduced by Boylan, et al.

SB 268, introduced by Halligan

MOTIONS

Representative Jones moved that HB 397 be taken from the table in the Committee on Education and printed and placed on second reading. Motion failed. (31-65)

Representative Harper moved that Weeding be added as a sponsor to HJR 1, bringing the total number of sponsors to 150. Motion carried.

Representative Pistoria moved that consideration of HB 368, second reading, be passed until the 41st legislative day. Motion carried.

Representative Harrington moved that HB 626 be taken from second reading and referred to the Committee on Education and Cultural Resources for the purpose of amendment. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 853, introduced by Krueger, Driscoll, Harrington. Referred to Committee on Business and Labor.

HB 855, introduced by Garcia, Krueger. Referred to Committee on Business and Labor.

- HB 856**, introduced by Montayne, Driscoll, McCormick, Towe, Manning, Hager, Ream, Cohen, Miles, Ellison, Kadas, Hansen, Bardanouve, Schye, Peck, Koehnke, Pistoria, Zabrocki, Kennerly, J. Moore. Referred to Committee on Human Services and Aging.
- HB 857**, introduced by Keenan, Cohen, Holliday, Peck, Waldron, Darko, Driscoll, Bradley, Ream, Menahan. Referred to Committee on Taxation.
- HB 858**, introduced by Harrington, Quilici, Pavlovich, Haffey, Krueger, D. Brown, Stimatz, Jacobson, Lynch. Referred to Committee on Local Government.
- HB 859**, introduced by Ramirez, Hand. Referred to Committee on Natural Resources.
- HB 860**, introduced by D. Brown, Marks, Blaylock, Thoft, J.K. Moore, Iverson, Addy, Waldron, Eck, Harper, Tveit, Vincent, Thayer, Shaw, Crippen, Bardanouve, Krueger, Van Valkenburg, B. Williams, McCormick, Keenan, Nisbet, Quilici, Regan, Yellowtail, Hannah, Bradley, Conover, Schye, Cohen, Ream, Miles, Raney, Lory, Pavlovich, Pinsoneault, Winslow, Driscoll, Mazurek, Manuel, Manning, Abrams, E. Smith, Stephens. Referred to Committee on State Administration.
- HB 861**, introduced by Bardanouve, Thoft, (By Request of the Department of Administration). Referred to Committee on Appropriations.
- HB 862**, introduced by Spaeth. Referred to Committee on Judiciary.
- HB 863**, introduced by Hansen, Connelly, Kadas, Ream, Garcia, Darko, J. Moore. Referred to Committee on Business and Labor.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Ream present at this time.

Representative Miles excused at this time.

HB 405 - That HB 405 do pass. Motion failed as follows:

Ayes: Abrams, Addy, Bachini, Bradley, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Grady, Hammond, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Krueger, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nelson, Nisbet, O'Connell, Pavlovich, Pistoria, Poff, Quilici, Raney, Ream, Sands, Schye, Spaeth, Williams, Zabrocki, Mr. Speaker.
Total 50

Noes: Asay, Bardanouve, Bergene, Brandewie, Campbell, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Hand, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Lory, Marks, Mercer, Miller, J.K. Moore, Nathe, O'Hara, Patterson, Peck, Peterson, Phillips, Ramirez, Rapp-Svrcek, Rehberg, Sales, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow.
Total 50

Paired: Miles, Williams, Ayes; Peck, Smith, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

That HB 405 do not pass. Motion carried as follows:

Ayes: Asay, Bardanouve, Bergene, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Hand, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Lory, Marks, Mercer, Miller, J.K. Moore, Nathe, O'Hara, Patterson, Peck, Peterson, Phillips, Ramirez, Rapp-Svrcek, Rehberg, Sales, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow.

Total 51

Noes: Abrams, Addy, Bachini, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Grady, Hammond, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Krueger, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nelson, Nisbet, O'Connell, Pavlovich, Pistoria, Poff, Quilici, Raney, Ream, Sands, Schye, Spaeth, Williams, Zabrocki, Mr. Speaker.

Total 49

Paired: Peck, Smith, Ayes; Miles, Williams, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 406 - That HB 406 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Connelly, Darko, Devlin, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Kadas, Keenan, Keller, Kennerly, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sands, Schye, Simon, Spaeth, Switzer, Waldron, Winslow, Zabrocki, Mr. Speaker.

Total 75

Noes: Asay, Compton, Donaldson, Ellerd, Hand, Hannah, Hanson, Jenkins, Jones, Keyser, Koehnke, O'Hara, Patterson, Peterson, Ramirez, Rehberg, Sales, Schultz, Smith, Swift, Thoft, Thomas, Wallin.

Total 23

Excused: Miles, Williams.

Total 2

Absent or not voting: None.

Total 0

HB 475 - That HB 475 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Glaser,

Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: Abrams, Campbell, Gilbert, Hannah, Keyser, Miller, J.K. Moore, Rehberg, Sales.

Total 9

Excused: Miles, Williams.

Total 2

Absent or not voting: None.

Total 0

Representative Driscoll excused at this time.

HB 487 - That HB 487 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Cody, Gilbert, Kadas.

Total 3

Excused: Driscoll, Miles, Williams.

Total 3

Absent or not voting: None.

Total 0

HB 517 - That HB 517 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Poff, Raney.

Total 2

Excused: Driscoll, Miles, Williams.

Total 3

Absent or not voting: None.

Total 0

HB 519 - That HB 519 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connolly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Marks, Swift.

Total 2

Excused: Driscoll, Miles, Williams.

Total 3

Absent or not voting: Nathe.

Total 1

HB 530 - That HB 530 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connolly, Darko, Devlin, Donaldson, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Driscoll, Miles, Williams.

Total 3

Absent or not voting: Ellison, Kadas, Smith.

Total 3

HB 573 - That HB 573 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton,

Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki.

Total 95

Noes: None.

Total 0

Excused: Driscoll, Miles, Williams.

Total 3

Absent or not voting: Pavlovich, Mr. Speaker.

Total 2

HB 574 - That HB 574 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Driscoll, Miles, Williams.

Total 3

Absent or not voting: Marks.

Total 1

HB 580 - That HB 580 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sands, Schye, Spaeth, Switzer, Waldron, Wallin, Zabrocki, Mr. Speaker.

Total 69

Noes: Asay, Brandewie, D. Brown, Cobb, Ellerd, Ellison, Glaser, Hannah, Hanson, Harp, Jones, Keller, Krueger, Marks, J.K. Moore, Nathe, O'Hara, Patterson, Phillips, Sales, Schultz, Simon, Smith, Swift, Thoft, Thomas, Winslow.

Total 27

Excused: Driscoll, Miles, Williams.

Total 3

Absent or not voting: Rapp-Svrcek.

Total 1

HB 581 - That HB 581 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, Manuel, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: Cody, Koehnke, Nisbet, Peck.

Total 4

Excused: Driscoll, Miles, Williams.

Total 3

Absent or not voting: McCormick, Marks.

Total 2

HB 587 - That HB 587 do pass. Motion carried as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Addy, Montayne.

Total 2

Excused: Driscoll, Miles, Williams.

Total 3

Absent or not voting: None.

Total 0

HB 588 - That HB 588 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz,

Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Hannah, Nelson.

Total 2

Excused: Driscoll, Miles, Williams.

Total 3

Absent or not voting: Sales.

Total 1

HB 601 - That HB 601 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Driscoll, Miles, Williams.

Total 3

Absent or not voting: Pavlovich.

Total 1

Representative Donaldson excused at this time.

HB 620 - That HB 620 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Donaldson, Driscoll, Miles, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 629 - That HB 629 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Ream, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 82

Noes: Campbell, Hannah, Harper, Keyser, Mercer, Nathe, Peck, Ramirez, Rapp-Svrcek, Rehberg.

Total 10

Excused: Donaldson, Driscoll, Miles, Williams.

Total 4

Absent or not voting: Bardanouve, Hansen, Marks, Switzer.

Total 4

HB 673 - Representative Kadas moved that HB 673, second reading copy, be amended. Representative Kadas made a substitute motion that HB 673 be placed below HB 524. Motion carried.

HB 692 - That HB 692 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miller, Montayne, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Schultz, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 83

Noes: Holliday, J.K. Moore, Nelson, Sands, Schye, Simon, Smith.

Total 7

Excused: Donaldson, Driscoll, Miles, Williams.

Total 4

Absent or not voting: Connelly, Ellison, Keyser, Menahan, Pavlovich, Rapp-Svrcek.

Total 6

HB 695 - That HB 695 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cody, Cohen, Compton, Darko, Devlin, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 88

Noes: Campbell, Cobb, Raney.
Total 3

Excused: Donaldson, Driscoll, Miles, Williams.
Total 4

Absent or not voting: Connelly, Ellison, Keyser, Pavlovich, Rapp-Svrcek.
Total 5

HB 85 - That HB 85 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Darko, Devlin, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 89

Noes: Cody, Gould, Nisbet.
Total 3

Excused: Donaldson, Driscoll, Miles, Williams.
Total 4

Absent or not voting: Connelly, Ellison, Holliday, Keyser.
Total 4

HB 238 - That HB 238 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Mr. Speaker.
Total 94

Noes: Campbell.

Total 1

Excused: Donaldson, Driscoll, Miles, Williams.

Total 4

Absent or not voting: Zabrocki.

Total 1

HB 265 - Representative D. Brown moved that HB 265, second reading copy, be amended. Representative Ream made a substitute motion that D. Brown's amendment to HB 265 do not pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harper, Hayne, Holliday, Howe, Iverson, Jenkins, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 83

Noes: D. Brown, Driscoll, Hansen, Harp, Harrington, Hart, Kadas, Kennerly, Krueger, McCormick, Menahan, Pavlovich, Quilici.

Total 13

Paired: Miles, Rapp-Svrcek, Ayes; D. Brown, Driscoll, Noes.

Excused: Donaldson, Williams.

Total 2

Absent or not voting: Jones, O'Connell.

Total 2

Representative Ellison moved that HB 265, second reading copy, be amended. Representative Ream made a substitute motion that Ellison's amendment to HB 265 do not pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bradley, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Darko, Ellerd, Eudaily, Fritz, Garcia, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Kennerly, Keyser, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Sales, Sands, Schultz, Schye, Simon, Spaeth, Switzer, Thoft, Thomas, Waldron, Winslow, Zabrocki, Mr. Speaker.
Total 76

Noes: Asay, Bardanouve, Bergene, Brandewie, Campbell, Cobb, Devlin, Ellison, Ernst, Gilbert, Gould, Hanson, Jones, Keller, Kitselman, Koehnke, Nathe, Rehberg, Smith, Swift, Wallin.

Total 21

Paired: Miles, Aye; Ellison, No.

Excused: Donaldson, Driscoll, Williams.

Total 3

Absent or not voting: None.

Total 0

That HB 265 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 90

Noes: D. Brown, Campbell, Cobb, Ellison, Hanson, Nathe, Pavlovich, Swift.

Total 8

Paired: Driscoll, Miles, Ayes; Cobb, Ellison, Noes.

Excused: Donaldson, Williams.

Total 2

Absent or not voting: None.

Total 0

HB 474 - Representative Pavlovich moved that HB 474, second reading copy, have the following statement of intent attached:

Statement of Intent
HB 474

It is the intent of the legislature by this bill that the board of morticians be delegated authority to adopt rules to:

- (1) determine under what conditions unsuccessful applicants for licenses to practice mortuary science may retake the appropriate examination;
- (2) grant special consideration as to recognition of internship qualifications in hardship cases; and
- (3) define "unprofessional conduct" for license disciplinary purposes.

Statement of intent passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, McCormick, Manuel, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: Keyser, Ramirez.

Total 2

Excused: Donaldson, Driscoll, Miles, Williams.

Total 4

Absent or not voting: Asay, Ellison, Jones, Lory, Marks, Sales, Simon.

Total 7

Representative Pavlovich moved that HB 474 do pass. Representative Keyser made a substitute motion that HB 474 be placed below HB 623 for the purpose of amendment. Motion carried. (47-45)

HB 480 - Representative Marks moved that consideration of HB 480 be passed for the day. Motion carried.

HB 524 - That HB 524 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Donaldson, Driscoll, Miles, Williams.

Total 4

Absent or not voting: Connelly, Keyser, Nathe, Pavlovich, Simon, Thomas, Waldron.

Total 7

HB 673 - Representative Kadas moved that HB 673 be placed below HB 474. Motion carried.

HB 557 - That HB 557 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bergene, D. Brown, Cobb, Compton, Connelly, Darko, Devlin, Ernst, Fritz, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harper, Harrington, Hart, Hayne, Holliday, Howe, Jenkins, Keenan, Keller, Kennerly, Keyser, Krueger, Lory, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, Nisbet, O'Connell, O'Hara, Pavlovich, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thomas, Waldron, Winslow, Zabrocki.

Total 58

Noes: Bachini, Bardanouve, Bradley, Brandewie, Campbell, Cody, Cohen, Ellerd, Ellison, Eudaily, Garcia, Gilbert, Glaser, Hammond, Harbin, Harp, Jones, Kadas, Kitselman, Koehnke, McCormick, Manuel, J. Moore, Nelson, Patterson, Peck, Peterson, Raney, Ream, Sales, Sands, Smith, Thoft, Wallin, Mr. Speaker.

Total 35

Excused: Donaldson, Driscoll, Miles, Williams.

Total 4

Absent or not voting: J. Brown, Iverson, Nathe.

Total 3

HB 566 - That HB 566 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki.

Total 90

Noes: Ellison, Glaser, Rapp-Svrcek, Mr. Speaker.

Total 4

Excused: Donaldson, Driscoll, Miles, Williams.

Total 4

Absent or not voting: Marks, Sales.

Total 2

Representative Quilici excused at this time.

HB 570 - That HB 570 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Ellison, Glaser, Harp.

Total 3

Excused: Donaldson, Driscoll, Miles, Quilici, Williams.

Total 5

Absent or not voting: None.

Total 0

Representative Connelly excused at this time.

HB 576 - That HB 576 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks,

Menahan, Mercer, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: Ellerd, Ellison, Keyser, J.K. Moore, Peck.

Total 5

Excused: Connelly, Donaldson, Driscoll, Miles, Quilici, Williams.

Total 6

Absent or not voting: Kadas, Manuel.

Total 2

HB 586 - That HB 586 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Connelly, Donaldson, Driscoll, Miles, Quilici, Williams.

Total 6

Absent or not voting: Keyser, Montayne, Pavlovich.

Total 3

HB 595 - That HB 595 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Darko, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Raney, Rapp-Svrcek, Rehberg, Sands, Schultz, Schye, Simon, Spaeth, Switzer, Winslow, Zabrocki, Mr. Speaker.

Total 76

Noes: Campbell, Glaser, Hanson, Hayne, Jones, Marks, Nathe, Peterson, Ramirez, Sales, Smith, Swift, Thoft, Thomas, Waldron, Wallin.

Total 16

Excused: Connelly, Donaldson, Driscoll, Miles, Quilici, Williams.

Total 6

Absent or not voting: Keyser, Ream.

Total 2

HB 606 - That HB 606 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Connelly, Donaldson, Driscoll, Miles, Quilici, Williams.

Total 6

Absent or not voting: None.

Total 0

HB 618 - That HB 618 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Darko, Devlin, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Mr. Speaker.

Total 86

Noes: Cobb, Ellison, Jenkins, Keyser, Marks, Phillips, Schultz, Zabrocki.

Total 8

Excused: Connelly, Donaldson, Driscoll, Miles, Quilici, Williams.

Total 6

Absent or not voting: None.

Total 0

Representative Harper moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Harrington moved the adoption of the committee report. Report adopted. (80-6)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 274 passed as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Darko, Devlin, Ernst,

Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schye, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Zabrocki, Mr. Speaker.

Total 82

Noes: Bachini, Campbell, Ellerd, Ellison, Koehnke, Patterson, Peck, Sands, Schultz, Simon, Winslow.

Total 11

Excused: Connelly, Donaldson, Driscoll, Miles, Quilici, Williams.

Total 6

Absent or not voting: Keyser.

Total 1

HB 288 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: D. Brown.

Total 1

Excused: Connelly, Donaldson, Driscoll, Miles, Quilici, Williams.

Total 6

Absent or not voting: None.

Total 0

HB 365 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Connelly, Donaldson, Driscoll, Miles, Quilici, Williams.

Total 6

Absent or not voting: Keyser.

Total 1

HB 724 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Hansen.

Total 1

Excused: Connelly, Donaldson, Driscoll, Miles, Quilici, Williams.

Total 6

Absent or not voting: None.

Total 0

MOTIONS

Representative D. Brown moved that HB 860 be taken from the Committee on State Administration and rereferred to the Committee on Natural Resources. Motion carried.

Representative Harper moved that the House stand in recess until 1:00 p.m. Motion carried.

House recessed at 12:00 p.m.

House reconvened at 1:00 p.m.

Mr. Speaker in the Chair.

Representative Harper moved that the House recess until 1:30 p.m. to allow both parties to caucus. Motion carried.

House recessed at 1:03 p.m.

House reconvened at 1:30 p.m.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/16/85

Correctly printed: HB 341, HB 360, HB 414, HB 483, HB 484, HB 496, HB 594, HB 613, HB 650, HB 654, HB 655, HB 687, HB 727, HB 792, HB 818.

Signed by the Speaker at 8:30 a.m., 2/16/85: HB 9, HB 94, HB 116, HB 195, HJR 3.

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman): 2/15/85

HB 71, do pass. Report adopted.

HB 534, introduced bill, be amended as follows:

1. Title, line 6.

Following: "MAY"

Strike: remainder of line 6 through "MAY" on line 7

2. Title, line 7.

Strike: "SECTIONS"

Insert: "SECTION"

3. Title, line 8.

Strike: "AND 20-4-206"

4. Page 1, line 21.

Strike: "In an odd-numbered year, the"

Insert: "The"

5. Page 2, line 18 through line 19, page 3.

Strike: section 2 in its entirety

And, as amended, do pass. Report adopted.

HB 608, do pass. Report adopted.

HB 635, introduced bill, be amended as follows:

1. Page 2, line 24.

Strike: "75%"

Insert: "50%"

And, as amended, do pass. Report adopted.

HB 685, do pass. Report adopted.

Adverse Committee Report

HB 538, do not pass.

JUDICIARY (Hannah, Chairman):

2/16/85

HB 341, do pass. Report adopted.

HB 380, do pass. Report adopted.

HB 481, do pass. Report adopted.

HB 541, do pass. Report adopted.

HB 585, do pass. Report adopted.

Adverse Committee Report

HB 431, do not pass.

NATURAL RESOURCES (Iverson, Chairman):

2/15/85

HB 362, introduced bill, be amended as follows:

1. Page 1, line 20.

Following: "75-20-301(2)(a)"

Insert: "for a facility defined in 75-20-104(10)(a)(i)"

2. Page 1, line 22.

Strike: "within a specified time"

3. Page 1, line 23.

Following: "other"

Insert: "planned"

4. Page 3, line 13.

Following: "accordance with"

Strike: "the"
Insert: "preliminary"

5. Page 3, line 14.
Strike: "schedule"
Insert: "plans"

6. Page 3, line 20.
Strike: "shall"
Insert: "may"

7. Page 3, line 20.
Following: "a"
Insert: "reasonable"

8. Page 3, line 21.
Strike: "of 2 years"

9. Page 3, line 23.
Following: "construction"
Insert: "under subsection (4)(a)(i) and (ii) or to begin construction under subsection (4)(a)(iii)"

10. Page 3, line 24.
Strike: "to complete construction"

11. Page 6, line 6.
Strike: "any"
Insert: "an"

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 362

(1) It is the intent of the legislature that the board of natural resources and conservation have the authority to condition a certificate of environmental compatibility and public need issued under the Montana Major Facility Siting Act upon actual load growth reaching a specified level or on the availability of other planned resources.

(2) It is the intent of the legislature that the grant of authority to the board referred to in subsection (1) not be construed to limit, alter, or otherwise affect the authority of the Montana public service commission to determine under 69-3-109 whether any facility is "actually used and useful for the convenience of the public".

HB 698, introduced bill, be amended as follows:

1. Page 9, line 19.
Following: "person"
Insert: "having an interest that is or may be adversely affected"

And, as amended, do pass. Report adopted.

HJR 25, introduced bill, be amended as follows:

1. Page 2, lines 2 and 3.
Following: "forests"
Strike: "that supply upwards of 40% of the economic base of western Montana"

2. Page 2, line 15.

Strike: "all"

Insert: "some"

3. Page 2, lines 24 and 25.

Following: "Delegation"

Strike: "that would free national forest roadless areas for all"

Insert: "and that areas that do not receive wilderness designation be made available for"

4. Page 3, line 2.

Strike: "in 1985"

Insert: "by the 99th Congress"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

2/15/85

HB 675, introduced bill, be amended as follows:

1. Title, line 5.

Following: "PLATES"

Insert: ".,"

2. Title, lines 5 through 7.

Strike: "FOR" on line 5 through "FUND" on line 7

Insert: "PROVIDING FOR DISPOSITION OF FEES FROM ISSUANCE OF THE LICENSE PLATES AND TRANSFER OR RENEWAL THEREOF"

3. Page 2, line 15.

Following: "(2)"

Insert: "(a)"

4. Page 2, lines 15 and 16.

Strike: "The" on line 15 through "." on line 16

Insert: "The \$25 fee provided for in subsection (1) must be deposited as follows:

(i) \$5 in the motor vehicle recording account of the state special revenue fund;

(ii) \$10 in the account of the Montana statehood centennial office provided for in [House Bill No. _____ [LC 1078]]; and

(iii) \$10 in the general fund of the county issuing the plate.

(b) The \$5 fee provided for in subsection (1) must be deposited into the motor vehicle recording account of the state special revenue fund."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

2/16/85

HB 27, introduced by M. Williams

HB 30, introduced by M. Williams

HJR 5, introduced by Asay

Senate bills passed and transmitted to the House for concurrence: 2/16/85

SB 195, introduced by Fuller, et al.

SB 221, introduced by Manning, et al.

SB 223, introduced by Neuman

SB 230, introduced by Tveit, et al.

Senate bill, requiring two-thirds majority vote, passed and transmitted to the House for concurrence: 2/16/85

SB 184, introduced by Mazurek

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Marks moved that HJR 16, HB 641, and HB 643 be placed at the top of the board. Motion carried.

HJR 16 - That HJR 16 do pass. Motion failed. (36-58)

That HJR 16 do not pass. Motion carried as follows:

Ayes: Abrams, Asay, Bergene, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harbin, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, McCormick, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki.
Total 58

Noes: Addy, Bachini, Bardanouve, Bradley, J. Brown, Cody, Cohen, Darko, Fritz, Garcia, Hammond, Hand, Hansen, Harper, Harrington, Hart, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, Manuel, Menahan, Montayne, J. Moore, Nisbet, Peck, Pistoria, Poff, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Mr. Speaker.
Total 36

Paired: Donaldson, Aye; Rapp-Svrcek, No.

Excused: Connelly, Driscoll, Miles, Quilici, Williams.
Total 5

Absent or not voting: D. Brown.
Total 1

HB 641 - That HB 641 do pass. Motion failed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Fritz, Garcia, Hammond, Hand, Hansen, Harper, Harrington, Hart, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, McCormick, Manuel, Menahan, Montayne, Nisbet, Pavlovich, Peck, Poff, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Zabrocki, Mr. Speaker.
Total 37

Noes: Abrams, Asay, Bergene, Brandewie, Campbell, Cobb, Compton, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harbin, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, Marks, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson,

Peterson, Phillips, Pistoria, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.
Total 58

Paired: Menahan, Aye; Donaldson, No.

Excused: Connelly, Driscoll, Miles, Quilici, Williams.
Total 5

Absent or not voting: None.
Total 0

That HB 641 do not pass. Motion carried as follows:

Ayes: Asay, Bergene, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harbin, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, Marks, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Peterson, Phillips, Pistoria, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.
Total 56

Noes: Abrams, Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Darko, Fritz, Garcia, Hammond, Hand, Hansen, Harper, Harrington, Hart, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, McCormick, Manuel, Menahan, Montayne, Nisbet, Pavlovich, Peck, Poff, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Mr. Speaker.
Total 38

Paired: Donaldson, Aye; Menahan, No.

Excused: Connelly, Driscoll, Miles, Quilici, Williams.
Total 5

Absent or not voting: Zabrocki.
Total 1

HB 643 - That HB 643 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 87

Noes: Bachini, Bardanouve, Cody, Fritz, Hansen, Kadas, Manuel, Peck.
Total 8

Paired: Donaldson, Aye; Kadas, No.

Excused: Connelly, Driscoll, Miles, Quilici, Williams.
Total 5

Absent or not voting: None.
Total 0

HB 623 - That HB 623 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Connelly, Donaldson, Driscoll, Miles, Quilici, Williams.

Total 6

Absent or not voting: Switzer.

Total 1

HB 474 - Representative Pavlovich moved that HB 474, second reading copy, be amended as follows:

1. Page 2, line 9.

Following: "the"

Insert: "90 quarter credits or the equivalent"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Connelly, Donaldson, Driscoll, Miles, Quilici, Williams.

Total 6

Absent or not voting: None.

Total 0

That HB 474, as amended, do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bradley, D. Brown, J. Brown, Cody, Cohen, Darko, Ellerd, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Krueger, McCormick, Manuel, Menahan,

Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nisbet, O'Connell, Pavlovich, Phillips, Pistoria, Poff, Rapp-Svrcek, Ream, Schye, Simon, Smith, Thomas, Waldron, Wallin, Mr. Speaker.

Total 53

Noes: Abrams, Asay, Bardanouve, Bergene, Brandewie, Campbell, Cobb, Compton, Devlin, Ellison, Ernst, Eudaily, Fritz, Glaser, Hannah, Hanson, Holliday, Iverson, Jenkins, Keyser, Koehnke, Lory, Marks, Nelson, O'Hara, Patterson, Peck, Peterson, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Spaeth, Swift, Switzer, Thoft, Zabrocki.

Total 39

Excused: Connelly, Donaldson, Driscoll, Miles, Quilici, Williams.

Total 6

Absent or not voting: Nathe, Winslow.

Total 2

HB 673 - Representative Kadas moved that HB 673, second reading copy, be amended as follows:

1. Title, line 8.

Following: "SUIT;"

Insert: "CHANGING THE DEFENDANT FROM PETITIONER TO COUNTY ELECTION ADMINISTRATOR; PROVIDING FOR PRECEDENCE OF SUCH A SUIT IN THE COURT; TOLLING THE TIME LIMIT FOR COLLECTION OF SIGNATURES;"

2. Page 2, line 2.

Following: "defendant the"

Insert: "county election administrator. The"

3. Page 2, line 3.

Following: "7-5-134"

Insert: "have an unconditional right to intervene upon timely application"

4. Page 2.

Following: line 5

Insert: "(3) An action brought under this section takes precedence over other cases and matters in the district court. The court shall as soon as possible render a decision as to whether the petition is regular in form and whether the proposed action would be valid and constitutional.

(4) The 90-day period during which petition signatures must be collected under 7-5-134 begins on the date of the court order resolving the suit."

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Connelly, Donaldson, Driscoll, Miles, Quilici, Williams.

Total 6

Absent or not voting: Devlin, Pavlovich.

Total 2

That HB 673, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Connelly, Donaldson, Driscoll, Miles, Quilici, Williams.

Total 6

Absent or not voting: Addy, Keyser, Marks, Pavlovich.

Total 4

HB 627 - That HB 627 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Ellerd, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Connelly, Donaldson, Driscoll, Miles, Quilici, Williams.

Total 6

Absent or not voting: Ellison, Gilbert, Kadas, Menahan, Pavlovich.

Total 5

HB 658 - That HB 658 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould,

Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 91

Noes: D. Brown, Fritz, Krueger.
Total 3

Excused: Connelly, Donaldson, Driscoll, Miles, Quilici, Williams.
Total 6

Absent or not voting: None.
Total 0

HB 662 - That HB 662 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 88

Noes: Bachini, Bardanouve, D. Brown, Peck.
Total 4

Excused: Connelly, Donaldson, Driscoll, Miles, Quilici, Williams.
Total 6

Absent or not voting: Ellison, Nathe.
Total 2

HB 718 - That HB 718 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 91

Noes: D. Brown, Driscoll, Krueger, Menahan, Nisbet.
Total 5

Paired: Donaldson, Aye; Driscoll, No.

Excused: Connelly, Miles, Quilici, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 759 - That HB 759 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Connelly, Donaldson, Driscoll, Miles, Quilici, Williams.

Total 6

Absent or not voting: Ellerd, Glaser, O'Hara.

Total 3

HB 761 - That HB 761 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Ellerd, Ellison, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schye, Simon, Smith, Thoft, Thomas, Waldron, Wallin, Mr. Speaker.

Total 79

Noes: Asay, Ernst, Fritz, Koehnke, J.K. Moore, O'Connell, Pistoria, Ramirez, Sands, Schultz, Spaeth, Swift, Switzer, Winslow, Zabrocki.

Total 15

Excused: Connelly, Donaldson, Driscoll, Miles, Quilici, Williams.

Total 6

Absent or not voting: None.

Total 0

HB 235 - Representative Peck moved that HB 235, second reading copy, be amended as follows:

1. Page 5, line 7.

Following: "subsection (1)"

Strike: "(a)"

2. Page 5, line 12.

Following: "subsection (1)"

Strike: "(a)"

3. Page 5, line 17.

Following: "subsection"

Strike: "(1)(b)"

Insert: "(2)"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 92

Noes: None.

Total 0

Excused: Connelly, Donaldson, Driscoll, Miles, Quilici, Williams.

Total 6

Absent or not voting: Kadas, Kennerly.

Total 2

Representative Keenan in the Chair.

That HB 235, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 92

Noes: Fritz.

Total 1

Excused: Connelly, Donaldson, Driscoll, Miles, Quilici, Williams.

Total 6

Absent or not voting: Hansen.

Total 1

Representative Jenkins excused at this time.

HB 276 - That HB 276 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin,

Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Connelly, Donaldson, Driscoll, Jenkins, Miles, Quilici, Williams.

Total 7

Absent or not voting: Abrams, Switzer.

Total 2

Representative Miller and the Committee on Local Government excused at this time.

HB 295 - Representative Harrington moved that HB 295, second reading copy, be amended as follows:

1. Title, line 12.

Following: "PROVISION"

Insert: "AND AN IMMEDIATE EFFECTIVE DATE"

2. Page 16.

Following: line 1

Insert: "NEW SECTION. Section 24. Effective date. This act is effective on passage and approval."

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Cobb, Cody, Cohen, Compton, Devlin, Ellerd, Ellison, Ernst, Eudaily, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Keenan, Keller, Kennerly, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Winslow, Zabrocki, Mr. Speaker.

Total 74

Noes: None.

Total 0

Excused: Brandewie, D. Brown, Connelly, Darko, Donaldson, Driscoll, Fritz, Gilbert, Hansen, Jenkins, Kadas, Kitselman, Miles, Miller, Pistoria, Poff, Quilici, Sales, Sands, Switzer, Wallin, Williams.

Total 22

Absent or not voting: Campbell, Harp, Nathe, O'Connell.

Total 4

Representatives Nathe, Waldron, and the Committee on Highways and Transportation excused at this time.

That HB 295, as amended, do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, Cohen, Darko, Driscoll, Garcia, Hammond, Hansen, Harper, Harrington, Hart, Holliday, Kadas, Keenan, Keyser, Krueger, Lory, McCormick, Menahan, Montayne, J.K. Moore, J. Moore, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Quilici, Raney, Rapp-Svrcek, Ream, Schultz, Schye, Simon, Spaeth, Thomas, Waldron, Winslow, Mr. Speaker.

Total 43

Noes: Asay, J. Brown, Cobb, Cody, Devlin, Ellerd, Ellison, Ernst, Eudaily, Gould, Grady, Hand, Hannah, Hanson, Hayne, Iverson, Jones, Keller, Manuel, Marks, Mercer, Nelson, Peterson, Phillips, Ramirez, Rehberg, Swift, Thoft.

Total 28

Paired: D. Brown, Darko, Driscoll, Hansen, Kadas, Quilici, Schye, Waldron, Ayes; Devlin, Ellerd, Gould, Jones, Marks, Mercer, Peterson, Ramirez, Noes.

Excused: Abrams, Brandewie, Campbell, Compton, Connelly, Donaldson, Fritz, Gilbert, Glaser, Harbin, Harp, Howe, Jenkins, Kennerly, Kitselman, Koehnke, Miles, Miller, Nathe, O'Connell, Pistoria, Poff, Sales, Sands, Smith, Switzer, Wallin, Williams, Zabrocki.

Total 29

Absent or not voting: None.

Total 0

Representative Miller present at this time.

Representative Schye excused at this time.

HB 331 - Representative J.K. Moore moved that consideration of HB 331 be passed for the day. Motion carried.

Representative Harrington in the Chair.

HB 342 - That HB 342 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, J. Brown, Cobb, Cody, Cohen, Devlin, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gould, Grady, Hand, Hannah, Hanson, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jones, Keenan, Keller, Keyser, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Phillips, Ramirez, Raney, Ream, Rehberg, Schultz, Simon, Spaeth, Swift, Thoft, Thomas, Winslow, Mr. Speaker.

Total 59

Noes: None.

Total 0

Excused: Abrams, Brandewie, Campbell, Compton, Connelly, Darko, Donaldson, Driscoll, Fritz, Gilbert, Glaser, Hammond, Hansen, Harbin, Harp, Howe, Jenkins, Kadas, Kennerly, Kitselman, Koehnke, Miles, Nathe, O'Connell, Peterson, Pistoria, Poff, Quilici, Sales, Sands, Schye, Smith, Switzer, Waldron, Wallin, Williams, Zabrocki.

Total 37

Absent or not voting: Bergene, D. Brown, Marks, Rapp-Svrcek.

Total 4

Representative D. Brown excused at this time.

HB 409 - Representative Addy moved that HB 409 be placed below HB 452. Motion carried.

HB 452 - That HB 452 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Cobb, Cody, Cohen, Devlin, Eudaily, Garcia, Gould, Grady, Harper, Harrington, Hart, Holliday, Iverson, Jones, Keenan, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Montayne, Nelson, Nisbet, Peck, Phillips, Pistoria, Raney, Rapp-Svrcek, Ream, Spaeth, Swift, Thoft, Thomas, Mr. Speaker.

Total 43

Noes: Ellerd, Ellison, Ernst, Hand, Hannah, Hanson, Hayne, Keller, Keyser, Miller, J.K. Moore, O'Hara, Patterson, Pavlovich, Ramirez, Rehberg, Schultz, Simon, Winslow.

Total 19

Paired: Pistoria, Aye; Hanson, No.

Excused: Abrams, Brandewie, D. Brown, Campbell, Compton, Connelly, Darko, Donaldson, Driscoll, Fritz, Gilbert, Glaser, Hammond, Hansen, Harbin, Harp, Howe, Jenkins, Kadas, Kennerly, Kitselman, Koehnke, Miles, Nathe, O'Connell, Peterson, Poff, Quilici, Sales, Sands, Schye, Smith, Switzer, Waldron, Wallin, Williams, Zabrocki.

Total 37

Absent or not voting: J. Moore.

Total 1

HB 409 - Representative Hansen moved that consideration of HB 409 be passed for the day. Motion carried.

HB 471 - Representative Harper moved that HB 471 be passed to the bottom of the board. Motion carried.

Representative Menahan excused at this time.

HB 522 - That HB 522 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Cobb, Cody, Cohen, Devlin, Ellerd, Ellison, Ernst, Eudaily, Garcia, Grady, Hand, Hannah, Hanson, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jones, Keenan, Keller, Keyser, Krueger, McCormick, Manuel, Menahan, Mercer, Miller, Montayne, J.K. Moore, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Phillips, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Simon, Spaeth, Thoft, Thomas, Winslow, Mr. Speaker.

Total 56

Noes: Ramirez.

Total 1

Excused: Abrams, Brandewie, D. Brown, Campbell, Compton, Connelly, Darko, Donaldson, Driscoll, Fritz, Gilbert, Glaser, Hammond, Hansen, Harbin, Harp, Howe, Jenkins, Kadas, Kennerly, Kitselman, Koehnke, Miles, Nathe, O'Connell, Peterson, Pistoria, Poff, Quilici, Sales, Sands, Schye, Smith, Switzer, Waldron, Wallin, Williams, Zabrocki.

Total 38

Absent or not voting: Gould, Lory, Marks, J. Moore, Swift.

Total 5

Representative Swift excused at this time.

HB 526 - That HB 526 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Cobb, Cody, Cohen, Devlin, Ellerd, Ellison, Ernst, Eudaily, Garcia, Grady, Hand, Hannah, Hanson, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jones, Keenan, Keller, Keyser, Krueger, McCormick, Manuel, Menahan, Mercer, Miller, Montayne, J.K. Moore, Nelson, Nisbet, O'Hara, Patterson, Peck, Phillips, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Simon, Spaeth, Thoft, Thomas, Winslow, Mr. Speaker.

Total 56

Noes: None.

Total 0

Excused: Abrams, Brandewie, D. Brown, Campbell, Compton, Connelly, Darko, Donaldson, Driscoll, Fritz, Gilbert, Glaser, Hammond, Hansen, Harbin, Harp, Howe, Jenkins, Kadas, Kennerly, Kitselman, Koehnke, Miles, Nathe, O'Connell, Peterson, Pistoria, Poff, Quilici, Sales, Sands, Schye, Smith, Swift, Switzer, Waldron, Wallin, Williams, Zabrocki.

Total 39

Absent or not voting: Gould, Lory, Marks, J. Moore, Pavlovich.

Total 5

Representatives Gould and Lory excused at this time.

HB 598 - That HB 598 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Cobb, Cody, Cohen, Devlin, Ellison, Ernst, Eudaily, Garcia, Grady, Hand, Hannah, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jones, Keenan, Keller, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Phillips, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Simon, Spaeth, Thoft, Thomas, Winslow, Mr. Speaker.

Total 55

Noes: None.

Total 0

Excused: Abrams, Brandewie, D. Brown, Campbell, Compton, Connelly, Darko, Donaldson, Driscoll, Fritz, Gilbert, Glaser, Gould, Hammond, Hansen, Harbin, Harp, Howe, Jenkins, Kadas, Kennerly, Kitselman, Koehnke, Lory, Miles, Nathe, O'Connell, Peterson, Pistoria, Poff, Quilici, Sales, Sands, Schye, Smith, Swift, Switzer, Waldron, Wallin, Williams, Zabrocki.

Total 41

Absent or not voting: Ellerd, Hanson, Keyser, J. Moore.

Total 4

Representative Waldron present at this time.

HB 599 - That HB 599 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Cobb, Cody, Cohen, Devlin, Ellerd, Ellison, Ernst, Eudaily, Garcia, Grady, Hand, Hannah, Hanson, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jones, Keenan, Keller, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Phillips, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Simon, Spaeth, Thoft, Thomas, Waldron, Winslow, Mr. Speaker.

Total 58

Noes: None.

Total 0

Excused: Abrams, Brandewie, D. Brown, Campbell, Compton, Connelly, Darko, Donaldson, Driscoll, Fritz, Gilbert, Glaser, Gould, Hammond, Hansen, Harbin, Harp, Howe, Jenkins, Kadas, Kennerly, Kitselman, Koehnke, Lory, Miles, Nathe, O'Connell, Peterson, Pistoria, Poff, Quilici, Sales, Sands, Schye, Smith, Swift, Switzer, Wallin, Williams, Zabrocki.

Total 40

Absent or not voting: Keyser, J. Moore.

Total 2

HB 619 - Representative Keyser moved that consideration of HB 619 be passed for the day. Motion carried.

Representative Krueger excused at this time.

Representatives Lory, Hammond, and Schye present at this time.

HB 631 - Representative Keyser moved that HB 631 do pass. Representative Waldron made a substitute motion that HB 631 do not pass. Motion carried as follows:

Ayes: Asay, Bardanouve, Bergene, J. Brown, Cobb, Cody, Cohen, Ellerd, Ellison, Ernst, Eudaily, Garcia, Grady, Hand, Hannah, Harper, Harrington, Hart, Hayne, Iverson, Jones, Keenan, Keller, Lory, Manuel, Marks, Menahan, Montayne, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Phillips, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Schye, Simon, Thoft, Thomas, Waldron, Winslow, Mr. Speaker.

Total 47

Noes: Addy, Bachini, Bradley, Devlin, Hammond, Hanson, Holliday, Keyser, McCormick, Mercer, Miller, J.K. Moore, Peck, Spaeth.

Total 14

Excused: Abrams, Brandewie, D. Brown, Campbell, Compton, Connelly, Darko, Donaldson, Driscoll, Fritz, Gilbert, Glaser, Gould, Hansen, Harbin, Harp, Howe, Jenkins, Kadas, Kennerly, Kitselman, Koehnke, Krueger, Miles, Nathe, O'Connell, Peterson, Pistoria, Poff, Quilici, Sales, Sands, Smith, Swift, Switzer, Wallin, Williams, Zabrocki.

Total 38

Absent or not voting: J. Moore.

Total 1

Representative Krueger present at this time.

HB 646 - Representative Rapp-Svrcek moved that HB 646 do pass. Representative Rapp-Svrcek made a substitute motion that consideration of HB 646 be passed for the day. Motion carried.

Representative Swift present at this time.

Representatives Phillips and Rehberg excused at this time.

HB 656 - Representative Addy moved that HB 656 be passed to the bottom of the board for the purpose of amendment. Motion carried.

HB 734 - That HB 734 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Cobb, Cody, Cohen, Devlin, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gould,

Grady, Hammond, Hand, Hannah, Hanson, Harper, Harrington, Hart, Hayne, Holliday, Jones, Keenan, Keller, Keyser, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, Nelson, Nisbet, O'Hara, Patterson, Peck, Ramirez, Rapp-Svrcek, Ream, Schultz, Schye, Simon, Spaeth, Swift, Thoft, Thomas, Waldron, Winslow, Mr. Speaker.

Total 59

Noes: Raney.

Total 1

Excused: Abrams, Brandewie, D. Brown, Campbell, Compton, Connelly, Darko, Donaldson, Driscoll, Fritz, Gilbert, Glaser, Hansen, Harbin, Harp, Howe, Jenkins, Kadas, Kennerly, Kitselman, Koehnke, Miles, Nathe, O'Connell, Peterson, Phillips, Pistoria, Poff, Quilici, Rehberg, Sales, Sands, Smith, Switzer, Wallin, Williams, Zabrocki.

Total 37

Absent or not voting: Iverson, J. Moore, Pavlovich.

Total 3

HB 813 - That HB 813 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Cobb, Cody, Cohen, Devlin, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jones, Keenan, Keller, Keyser, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Ramirez, Raney, Rapp-Svrcek, Ream, Schultz, Schye, Simon, Spaeth, Swift, Thoft, Thomas, Waldron, Winslow, Mr. Speaker.

Total 62

Noes: None.

Total 0

Excused: Abrams, Brandewie, D. Brown, Campbell, Compton, Connelly, Darko, Donaldson, Driscoll, Fritz, Gilbert, Glaser, Hansen, Harbin, Harp, Howe, Jenkins, Kadas, Kennerly, Kitselman, Koehnke, Miles, Nathe, O'Connell, Peterson, Phillips, Pistoria, Poff, Quilici, Rehberg, Sales, Sands, Smith, Switzer, Wallin, Williams, Zabrocki.

Total 37

Absent or not voting: J. Moore.

Total 1

HB 816 - Representative Harper moved that consideration of HB 816 be passed for the day. Motion carried.

HJR 30 - Representative Keyser moved that HJR 30 be placed below HB 656. Motion carried.

HB 471 - That HB 471 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bergene, Bradley, J. Brown, Cobb, Cody, Cohen, Devlin, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gould, Grady, Hammond, Hand, Hannah, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jones, Keenan, Keller, Keyser, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Ramirez, Raney, Rapp-Svrcek, Ream, Schultz, Simon, Thoft, Thomas, Waldron, Winslow, Mr. Speaker.

Total 57

Noes: Hanson, Schye, Swift.

Total 3

Excused: Abrams, Brandewie, D. Brown, Campbell, Compton, Connelly, Darko, Donaldson, Driscoll, Fritz, Gilbert, Glaser, Hansen, Harbin, Harp, Howe, Jenkins, Kadas, Kennerly, Kitselman, Koehnke, Miles, Nathe, O'Connell, Peterson, Phillips, Pistoria, Poff, Quilici, Rehberg, Sales, Sands, Smith, Switzer, Wallin, Williams, Zabrocki.

Total 37

Absent or not voting: Bachini, J. Moore, Spaeth.

Total 3

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Harrington moved the adoption of the committee report. Report adopted. (61-0)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/16/85

Correctly printed: HB 380, HB 481, HB 541, HB 583, HB 585, HB 721, HB 755, HB 769, HB 784, HR 2.

Considered correctly engrossed: HB 85, HB 238, HB 406, HB 475, HB 487, HB 517, HB 519, HB 530, HB 574, HB 580, HB 587, HB 629.

Correctly engrossed: HB 725.

JUDICIARY (Hannah, Chairman):

2/13/85

HB 164, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "180"

Insert: "60"

2. Title, line 6.

Following: "VACATE"

Insert: "AND 180 DAYS' NOTICE IN THE EVENT OF CLOSURE OF A MOBILE HOME COURT"

3. Page 1, line 21.

Following: "(3)"

Insert: "(a)"

4. Page 1, line 23.

Strike: "180"

Insert: "60"

5. Page 2, line 1.

Strike: "180"

Insert: "60"

6. Page 2, line 3.

Strike: "180"

Insert: "60"

7. Page 2, line 4.

Strike: "180"

Insert: "60"

8. Page 2.

Following: line 5

Insert: "(b) Whenever the landlord of a mobile home rental space terminates a month-to-month tenancy or a tenancy under a written

mobile home space rental agreement because of discontinuation of the use of the underlying land as a mobile home court or discontinuing the operation of the court, he must give the tenant a written notice at least 180 days before the termination date designated in the notice."

And, as amended, do pass. Report adopted.

HB 442, introduced bill, be amended as follows:

1. Title, line 6.

Following: "BROUGHT"

Insert: "BY THE CHILD"

Following: "UNTIL"

Insert: "2 YEARS AFTER"

Following: "CHILD"

Strike: "BECOMES" through "AGE" on line 7

Insert: "ATTAINS THE AGE OF MAJORITY AND BY AN AGENCY OF THE STATE UNTIL 2 YEARS AFTER AN APPLICATION IS MADE UNDER TITLE IV-D OF THE SOCIAL SECURITY ACT FOR SERVICES TO THE CHILD"

2. Page 2, line 3.

Following: "brought"

Insert: " (a) by the child"

Following: "than"

Strike: "3"

Insert: "2"

3. Page 2, line 4.

Following: "majority"

Insert: " ; or (b) by a state agency later than 2 years after the first application is made under Title IV-D of the Social Security Act for services to the child"

And, as amended, do pass. Report adopted.

HB 507, referred to the committee of the whole without recommendation. Report adopted.

HB 577, introduced bill, be amended as follows:

1. Page 5, line 17.

Following: "ranges"

Insert: "as long as the minimum rate is fully compensatory"

2. Page 11.

Following: line 11

Insert: "NEW SECTION. Section 15. No preemption of laws governing anticompetitive activity. Nothing in [sections 1 through 10 and 13] in any way preempts, abrogates, or otherwise affects any right, liability, or obligation arising from any federal or state law regarding unfair business practices or anticompetitive activity."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 577

As stated in the purpose section of this act, it is the intent of the legislature to maintain universal availability of basic telecommunications service

at affordable rates. At the same time, the legislature desires to make available to the general public the rapid advances in telecommunications technology brought about by competition. It is the intent of this act to provide the regulatory flexibility necessary to allow a transition to a competitive market environment in the telecommunications industry.

Under prior law there was no mechanism that would allow telecommunications utilities to respond to competitive situations. It is the intent of the legislature that the public service commission now have the authority to permit flexible pricing in those instances where it will promote healthy competition. For example, if two telecommunications utilities are effectively competing to provide long distance service to a market, the commission may allow those companies to change their rates without commission approval in response to competition. Depending upon the circumstances, the commission may detariff rates for the competitive services or allow the telecommunications utilities to operate within permissible price ranges or implement some other form of regulation that is less restrictive than total rate regulation.

The legislature intends that the commission retain the power to protect ratepayer interests by totally regulating the rates for telecommunications services that are provided on a monopoly basis. It is intended that the commission be authorized to examine each service and market to determine when market conditions rather than total rate regulation can be relied upon to assure that adequate service will be provided at reasonable rates.

It is further intended that the commission have authority to take those actions necessary to assure that revenues from regulated telecommunications services are not used to subsidize nonregulated operations.

It is intended that the commission have authority to adopt rules, if needed, to develop standards for evaluating market conditions and criteria for determining that detariffing or rate flexibility is appropriate. The commission may also implement, by rule if necessary, such reporting requirements as are required to permit a proper allocation of common or joint costs and investments.

HB 622, do pass. Report adopted.

Adverse Committee Reports

HB 366, do not pass.

HB 528, do not pass.

LOCAL GOVERNMENT (Darko, Chairman):

2/16/85

Adverse Committee Report

HB 384 - Representatives Ream, Hansen, Kadas, Fritz, D. Brown, Darko, J. Brown, Montayne, Peck, McCormick, Miller, Bergene, Waldron, J. Hammond, Hand, Bradley, Bachini, Lory, Cobb, and Spaeth objected to the adverse committee report on HB 384, and requested that the bill be printed and placed on second reading.

2/16/85

MOTIONS

Representative Waldron moved that HB 761 be taken from engrossing and referred to the Committee on Appropriations. Motion carried.

Representative Marks moved that consideration of HB 452 be passed until the 43rd legislative day. Motion carried.

Representative Marks moved that HB 295 be taken from engrossing and referred to the Committee on Appropriations. Motion carried.

Representative Hansen moved that consideration of HB 409 be passed until the 50th legislative day. Motion carried.

Representative Harper moved that Fuller, J. Brown, Schye, Grady, Darko, Bergene, Koehnke, Lynch, Harper, Hart, Miles, Haffey, Mazurek, Marks, Christiaens, Keenan, Vincent, Krueger, Menahan, Miller, Peck, Jacobson, Manning, Driscoll, Pavlovich, Iverson, Devlin, O'Connell, J. Hammond, Harbin, Nisbet, Fritz, Connelly, Bachini, Harrington, and Hannah be added as sponsors to HB 38. Motion carried.

MESSAGES FROM THE OTHER HOUSE

The Senate, on 2/15/85, failed to concur in House amendments to SJR 9 and appointed a conference committee of three, requesting that the House appoint a like committee to confer on House amendments to SJR 9.

The President appointed the following members:

Senator Christiaens, Chairman
Senator Keating
Senator Haffey

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

The Speaker introduced this week's pages: Darci Pelton, Julie Geren, Joey Roberts, Kimberly Geisse, Anne Arvish, Nanette Dowling, and Cheri Andriolo, and thanked them for their services.

Representative Harper moved that the House adjourn until 10:00 a.m., February 18, 1985.

Motion carried.

House adjourned at 5:30 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

THIRTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
February 18, 1985.

House Chambers
State Capitol

House convened at 10:00 a.m., Mr. Speaker in the Chair. Invocation by Father Jim Reeves. Pledge of Allegiance to the Flag.

House recessed until 11:00 a.m.

Roll call. All members present except Donaldson, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the thirty-sixth legislative day, find the same to be correct.

Menahan, Chairman

COMMUNICATIONS AND PETITIONS

The Low-Income Coalition is sponsoring a "soup line" today in the Rotunda from 12:15 p.m. to 1:00 p.m. All legislators are invited.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/16/85

Correctly printed: HB 71, HB 362, HB 507, HB 534, HB 608, HB 622, HB 635, HB 675, HB 685, HB 698, HJR 25.

Considered correctly engrossed: HB 573, HB 576, HB 581, HB 586, HB 588, HB 595, HB 601, HB 618, HB 620, HB 692, HB 695.

Correctly enrolled: HB 81, HB 350.

2/18/85

Correctly printed: HB 164, HB 384, HB 442, HB 577.

Considered correctly engrossed: HB 265, HB 276, HB 342, HB 452, HB 471, HB 522, HB 524, HB 526, HB 557, HB 566, HB 570, HB 598, HB 599, HB 606, HB 623, HB 627, HB 643, HB 658, HB 662, HB 718, HB 734, HB 759, HB 761, HB 813.

Correctly engrossed: HB 235, HB 295, HB 474, HB 673.

Delivered to the Governor for his approval at 8:35 a.m., 2/18/85: HB 9, HB 34, HB 94, HB 116, HB 195.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Schultz, Chairman):

2/15/85

HJR 28, introduced bill, be amended as follows:

1. Page 2, line 19.

Strike: "75%, with a ceiling of 110%"

Insert: "90%"

2. Page 2, line 22.

Following: "ranches;"

Insert: "and"

3. Page 2.

Following: line 22

Strike: subsection (5) in its entirety

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman):

2/15/85

HB 18, introduced bill, be amended as follows:

1. Title, line 6.

Following: "CENTERS;"

Insert: "RENAMING POSTSECONDARY VOCATIONAL-TECHNICAL CENTERS AS VOCATIONAL-TECHNICAL INSTITUTES;"

2. Title, line 10.

Following: "20-7-322"

Insert: ", "

Strike: "THROUGH"

Insert: "20-7-324,"

3. Title, line 12.

Following: "20-9-603,"

Insert: "20-25-701,"

Following: "90-6-211"

Insert: ", MCA"

4. Title, line 13.

Following: line 12

Insert: "20-7-323,"

Following: "20-9-405"

Insert: ", MCA"

Following: "AN"

Insert: "IMMEDIATE"

5. Title, line 14.

Following: "DATE"

Insert: "FOR CREATION AND CERTAIN DUTIES OF THE STATE BOARD AND PROVIDING A JULY 1, 1986, EFFECTIVE DATE FOR IMPLEMENTATION OF THE REMAINING PARTS OF THE ACT"

6. Page 1, line 17.

Strike: everything following the enacting clause

Insert: "NEW SECTION. Section 1. Board of vocational-technical institutes. (1) There is a board of vocational-technical institutes consisting of seven persons appointed by and serving at the pleasure of the governor. After initial appointments, each board member must be appointed to a 7-year term of office and the terms must be staggered. The governor must ensure that business and industrial interests are represented by the board and must ensure geographic distribution of appointees.

(2) The board of vocational-technical institutes is allocated to the board of regents as provided in this subsection. The budget requests of the board of vocational-technical institutes must be included with those of the board of regents. The board of regents has supervisory, administrative, coordinating, and other powers and duties with respect to the board of vocational-technical institutes to the extent necessary for the board of regents to comply with its duties as the sole state agency under the 1984 federal vocational education act and [section 2].

NEW SECTION. Section 2. Sole state agency for federal vocational education requirements. The board of regents is the sole state agency for purposes of the 1984 federal vocational education act, which requires a state participating in programs under that act to designate a state board or agency as the sole state agency responsible for

administration or supervision of the administration of those programs.

NEW SECTION. Section 3. Powers and duties of board of vocational-technical institutes. (1) The board of vocational-technical institutes has general administrative and supervisory control over the vocational-technical institutes and shall:

- (a) establish and when necessary amend a plan for the orderly development of postsecondary vocational-technical education offered at the vocational-technical institutes that is consistent with federal and state law, controlled to prevent unnecessary duplication, and funded to ensure necessary growth and quality education;
- (b) adopt standards for postsecondary vocational-technical education courses and programs;
- (c) implement a review process, which may include appointment of a local advisory board for each institute, for establishing and deleting programs and courses that recognizes the present and future needs of employers and provides qualified graduates for positions for which there is or may in the near future be a demand;
- (d) establish student entrance and graduation requirements;
- (e) appoint a director, to serve at the pleasure of the board, for each vocational-technical institute and establish minimum qualifications for faculty and minimum qualifications for directors, administrative staff, and other personnel;
- (f) appoint a commissioner of vocational-technical education, to serve at the pleasure of the board;
- (g) establish student tuition and prescribe the bases and limitations for charging of fees, taking into account funding available from all other sources;
- (h) determine the amount to be paid for the lease or purchase of buildings;
- (i) adopt budget requests for the vocational-technical institute system;
- (j) establish a procedure by which students can receive part of their education and training through programs, courses, and on-the-job training offered by the private sector and not available at the institutes;
- (k) establish a procedure by which qualified persons in the private sector can participate in the training and teaching of students in the institutes' classrooms when such persons have training, knowledge, and skills not available through the institutes' faculty;
- (l) provide means by which the institutes' faculty can obtain advanced education and training in new areas and either be reimbursed for their expenses or raised to a higher salary level, or both;
- (m) establish for the various institutes uniform policies for record-keeping; financial transactions; accounting; maintenance; recruiting, guidance, and placement of students; examinations; personnel relations; and other matters as determined by the board;
- (n) negotiate with the bargaining representative for the personnel of each institute or the personnel of the institutes in a manner consistent with state and federal law;

(o) work with other institutions of postsecondary education for articulation between those institutions and the vocational-technical institutes;

(p) adopt rules, not inconsistent with the constitution and the laws of the state, which are proper and necessary in the execution of the powers and duties conferred upon it by law.

(2) Rules proposed for adoption must be submitted to the board of regents for its comments and suggestions prior to publication of the notice of intent to adopt the rules. The board of regents may at any time submit to the board of vocational-technical institutes recommendations for changes in rules and policies.

NEW SECTION. Section 4. Duties of the commissioner of vocational-technical institutes. The commissioner of vocational-technical institutes shall, under the rules and policies of the board of vocational-technical institutes:

(1) be the chief administrative officer for the board of vocational-technical institutes for the administration of its vocational-technical institute rules and policies;

(2) employ, within the limits of any legislative appropriation and with the confirmation of the board of vocational-technical institutes, the staff necessary for the state supervision and administration of the board's vocational-technical institute rules and policies;

(3) provide supervisory and consultative assistance to institutes;

(4) report the status of postsecondary vocational-technical education offered at the vocational-technical institutes in the state of Montana when requested by the board of vocational-technical institutes;

(5) keep all board of vocational-technical institutes records in his office; and

(6) perform any other duties assigned by the board of vocational-technical institutes.

NEW SECTION. Section 5. Employment of vocational-technical institute personnel. (1) Persons may be employed by vocational-technical institutes through any one or more processes chosen by the board of vocational-technical institutes. Different employment processes may be used for different levels or types of personnel.

(2) The board shall, when required to do so, negotiate with the bargaining representative for the personnel of each institute or the personnel of the institutes regarding wages, hours, benefits, and other conditions of employment in a manner consistent with state and federal law.

NEW SECTION. Section 6. Existing institute employees. (1) The rights of persons employed by an institute under a collective bargaining agreement in effect prior to July 1, 1986, may not be impaired.

(2) Following [the effective date of this section], the employees of any institute may apply to the board of personnel appeals for determination of the appropriate bargaining unit or units for the purposes of collective bargaining for a contract or contracts to be negotiated prior to July 1, 1986.

(3) A person employed by an institute under a school district on June 30, 1986, becomes an employee of the board of vocational-technical institutes on July 1, 1986.

(4) If a person is employed by an institute in any capacity on July 1, 1986, and has accumulated sick, vacation, or other leave with a school district, such leave shall be transferred fully regardless of the length of employment with the district in which the institute is located. Prior to July 1, 1986, the board of vocational-technical institutes shall negotiate the assumption of accumulated leave liability with the district.

Section 7. Section 2-18-103, MCA, is amended to read:

"2-18-103. Officers and employees excepted. Parts 1 and 2 do not apply to the following positions in state government:

- (1) elected officials;
- (2) county assessors and their chief deputy;
- (3) officers and employees of the legislative branch;
- (4) judges and employees of the judicial branch;
- (5) members of boards and commissions appointed by the governor, appointed by the legislature, or appointed by other elected state officials;
- (6) officers or members of the militia;
- (7) agency heads appointed by the governor;
- (8) academic and professional administrative personnel with individual contracts under the authority of the board of regents of higher education or the board of vocational-technical institutes;
- (9) academic and professional administrative personnel and live-in houseparents who have entered into individual contracts with the state school for the deaf and blind under the authority of the state board of public education;
- (10) teachers under the authority of the department of institutions;
- (11) investment officer and assistant investment officer of the board of investments; and
- (12) four professional staff positions under the board of oil and gas conservation."

Section 8. Section 19-4-302, MCA, is amended to read:

"19-4-302. Active membership. (1) Unless otherwise provided by this chapter, the following persons must be active members of the retirement system, with the exception that those persons who became eligible for membership on September 1, 1937, or on September 1, 1939, and who elected not to become members under the provisions of the law at that time are not required to be members:

- (a) any person who is a teacher, principal, or district superintendent as defined in 20-1-101;
- (b) any person who is an administrative officer or a member of the instructional or scientific staff of a unit of the Montana university system;

(c) any person employed in an instructional services capacity by the office of the superintendent of public instruction, the office of a county superintendent, a special education cooperative, a public institution of the state of Montana, the Montana state school for the deaf and blind, the board of vocational-technical institutes or a vocational-technical institute, or a school district;

(d) any person who has elected not to become a member of the retirement system and is reentering service in a capacity prescribed by (a), (b), or (c) of this subsection (1);

(e) any person who has elected not to become a member of the retirement system, who has been continuously employed in a capacity prescribed by (a), (b), or (c) of this subsection (1) since the time of such election, and who may thereafter elect to become a member of the retirement system.

(2) In order to be eligible for active membership, any person described in subsection (1) must:

(a) be employed in the capacity prescribed for his eligibility for at least 30 days in any fiscal year; and

(b) have the compensation for his creditable service totally paid by an employer as defined herein.

(3) At any time a person's eligibility to become a member of the retirement system is in doubt, the retirement board shall determine his eligibility for membership. All persons in similar circumstances shall be treated alike."

Section 9. Section 20-1-101, MCA, is amended to read:

"20-1-101. Definitions. As used in this title, unless the context clearly indicates otherwise, the following definitions apply:

(1) "Agricultural experiment station" means the agricultural experiment station established at Montana state university.

(2) "Average number belonging" or "ANB" shall mean the average number of regularly enrolled, full-time pupils attending the public schools of a district.

(3) "The board of public education" is the board created by Article X, section 9, subsection (3), of the 1972 Montana constitution and 2-15-1507.

(4) "Board of regents" means the board of regents of higher education created by Article X, section 9, subsection (2), of the 1972 Montana constitution and 2-15-1505.

(5) "Commissioner" means the commissioner of higher education created by Article X, section 9, subsection (2), of the 1972 Montana constitution and 2-15-1506.

(6) "County superintendent" means the county government official who is the school officer of the county.

(7) "District superintendent" means any person who holds a valid class 3 Montana teacher certificate with a superintendent's endorsement that has been issued by the superintendent of public instruction under the provisions of this title and the policies adopted by the board of public education and who has been employed by a district as a district superintendent.

(8) "K-12 vocational education" means vocational education in public school grades 1 through 12.

(8) "Postsecondary vocational-technical center" means a school used principally for the provision of postsecondary vocational-technical education to persons who qualify as postsecondary vocational-technical pupils. These centers are designated by the superintendent of public instruction upon direction by the legislature. All other public or private schools are hereby prohibited from using this title.

(9) "Postsecondary vocational-technical education" means vocational-technical education of postsecondary vocational-technical pupils students which is conducted by a postsecondary vocational-technical center or other programs institute as designated by the superintendent of public instruction board of vocational-technical institutes or by a unit of the Montana university system or a community college as designated by the board of regents. Postsecondary vocational-technical education shall include the 13th and 14th year and beyond but will not include work toward a baccalaureate degree.

(10) "Postsecondary vocational-technical pupil" means a person who has completed or left school; is at least 16 years of age; and is available for study in preparation for entering the labor market; for reentering the labor market; or for employment stability or advancement in employment.

(11)(10) "Principal" means any person who holds a valid class 3 Montana teacher certificate with an applicable principal's endorsement that has been issued by the superintendent of public instruction under the provisions of this title and the policies adopted by the board of public education and who has been employed by a district as a principal. For the purposes of this title, any reference to a teacher shall be construed as including a principal, as herein defined.

(12)(11) "Pupil" means any child who is 6 years of age or older on or before September 10 of the year in which the child is to enroll or has been enrolled by special permission of the board of trustees under 20-5-101(3) but has not yet reached his 19th birthday and who is enrolled in a school established and maintained under the laws of the state of Montana at public expense.

(13)(12) "Pupil instruction" means the conduct of organized instruction of pupils enrolled in public schools while under the supervision of a teacher.

(14)(13) "Regents" means the board of regents of higher education.

(15)(14) "School food services" means a service of providing food for the pupils of a district on a nonprofit basis and shall include any food service financially assisted through funds or commodities provided by the United States government.

(16)(15) "The state board of education" is the board composed of the board of public education and the board of regents as specified in Article X, section 9, subsection (1), of the 1972 Montana constitution.

(17)(16) "State university" means the Montana state university, located at Bozeman.

(18)(17) "Superintendent of public instruction" means that state government official designated as a member of the executive branch by the constitution of Montana.

~~(19)~~(18) “System” means the Montana university system.

~~(20)~~(19) “Teacher” means any person, except a district superintendent, who holds a valid Montana teacher certificate that has been issued by the superintendent of public instruction under the provisions of this title and the policies adopted by the board of public education and who is employed by a district as a member of its instructional, supervisory, or administrative staff. This definition of a teacher shall also include any person for whom an emergency authorization of employment of such person has been issued under the provisions of 20-4-111.

~~(21)~~(20) “Textbook” means a book or manual used as a principal source of study material for a given class or group of students.

~~(22)~~(21) “Textbook dealer” means any party, company, corporation, or other organization selling, offering to sell, or offering for adoption textbooks to districts in the state of Montana.

~~(23)~~(22) “Trustees” means the governing board of a district.

~~(24)~~(23) “University” means the university of Montana, located at Missoula.

~~(25)~~(24) “Vocational education” means the instruction to prepare or improve the pupil for gainful employment that does not require a baccalaureate or higher degree. This definition of vocational education shall include guidance and prevocational, related, or technical instruction necessary to prepare the pupil for further vocational education or for entry into employment.

(25) “Vocational-technical institute” means an institution used principally for the provision of postsecondary vocational-technical education to persons who qualify as vocational-technical students. These institutes are designated by the board of vocational-technical institutes upon direction by the legislature. All other public or private institutions or schools are hereby prohibited from using this title.

(26) “Vocational-technical student” means a person who has completed or left school, is at least 16 years of age, and is available for study in preparation for entering the labor market, for reentering the labor market, or for employment stability or advancement in employment.”

Section 10. Section 20-2-101, MCA, is amended to read:

“20-2-101. Combined boards as state board — budget review — officers — meetings — quorum. (1) The board of public education and the board of regents meeting together as the state board of education shall be responsible for long-range planning and for coordinating and evaluating policies and programs for the public educational systems of the state. The state board of education shall review and unify the budget requests of educational entities assigned by law to the board of public education, the board of regents, the board of vocational-technical institutes, or the state board of education and shall submit a unified budget request with recommendations to the appropriate state agency.

(2) The governor is the president of, the superintendent of public instruction is the secretary to, and the commissioner shall be a non-voting participant at all meetings of the state board of education.

- (3) The state board of education may select a member to chair its meetings in the absence of the governor.
- (4) A tie vote at any meeting may be broken by the governor.
- (5) A majority of members appointed to the board of public education and the board of regents shall constitute a quorum for transaction of business as the state board of education.
- (6) The board of public education and the board of regents shall meet at least twice yearly as the state board of education on any two of the dates specified in 20-2-112(1).
- (7) Other meetings of the state board of education may be called by the governor, by both the secretary to the board of public education and the secretary to the board of regents, or by joint action of eight appointed members, four each from the board of public education and the board of regents. All meetings of the state board of education shall be for the purposes set forth in subsection (1) above or for the purpose of considering other matters of common concern to the board of public education and the board of regents, but the state board of education may not exercise the powers and duties assigned by the 1972 Montana constitution and by law to the board of public education and the board of regents."

Section 11. Section 20-2-111, MCA, is amended to read:

"20-2-111. Officers of boards — quorum. (1) The board of public education, the board of vocational-technical institutes, and the board of regents may each select a chairman from among their appointed members.

(2) The professional assistant shall serve as secretary to the board of public education, and the commissioner of higher education serves as secretary to the board of regents.

(3) A majority of the appointed members of each board constitutes a quorum for the transaction of business.

(4) The professional assistant shall serve as a liaison between the board of public education and the superintendent of public instruction and shall carry out other such duties as assigned by the board of public education."

Section 12. Section 20-2-112, MCA, is amended to read:

"20-2-112. Quarterly meetings of boards — called meetings — notice of meetings. (1) The board of public education, the board of vocational-technical institutes, and the board of regents shall meet quarterly at the same location on the second Monday of April, July, September, and December.

(2) Other meetings of ~~either any~~ board may be called by the governor, by the chairman, by the secretary, or by four appointed members.

(3) The secretary to each board shall mail notice to each member at least 7 days in advance of all meetings of the respective board."

Section 13. Section 20-2-113, MCA, is amended to read:

"20-2-113. Per diem of board members — expenses. Appointed members of the board of public education, the board of vocational-technical institutes, and the board of regents are entitled to \$25 per day

and travel expenses, as provided for in 2-18-501 through 2-18-503, for each day in attendance at board meetings or in the performance of any duty or service as a board member.”

Section 14. Section 20-2-114, MCA, is amended to read:

“20-2-114. Adoption of rules — seal — record of proceedings. The board of public education, the board of vocational-technical institutes, the board of regents, and the state board of education each shall:

- (1) adopt rules consistent with the constitution or laws of the state of Montana necessary for its own government or the proper execution of the powers and duties conferred upon it by law;
- (2) adopt and use an official seal to authenticate its official acts; and
- (3) keep a record of its proceedings.”

Section 15. Section 20-3-103, MCA, is amended to read:

“20-3-103. Deputy superintendent — staff. (1) The state superintendent of public instruction shall appoint a deputy who, in the absence of the principal or in the case of vacancy in his office, shall perform all the duties of office until such disability be removed or vacancy be filled. Such deputy shall subscribe, take, and file the oath of office provided by law for other state officers before entering upon the performance of his duties.

(2) The superintendent of public instruction shall have the power to employ, organize, and administer a staff of personnel to assist him in the administration of the duties and services of the office. In organizing his staff, the superintendent of public instruction shall employ:

- (a) a supervisor of physical education who is a graduate of an accredited institution of higher education with a master's degree in physical education;
- (b) a professional staff for the state supervision and administration of K-12 vocational education; and
- (c) a special education supervisor who is a graduate of an accredited institution of higher education with a master's degree in a field of special education for the mentally retarded or physically handicapped and who has not less than 2 years' experience in special education.”

Section 16. Section 20-3-104, MCA, is amended to read:

“20-3-104. Discretionary staff. In addition to the positions of employment listed in 20-3-103, the superintendent of public instruction may employ:

- (1) one or more assistant superintendents, one of whom may be designated as assistant superintendent for K-12 vocational education;
- (2) a high school supervisor who is the holder of a class 3 teacher certificate with a district superintendent endorsement;
- (3) an elementary supervisor who is the holder of a valid teacher certificate;

- (4) a competent person to develop economy and efficiency in school transportation and to otherwise supervise the transportation program;
- (5) a music supervisor who is a graduate of an accredited institution of higher education in music education and who has not less than 5 years of teaching experience;
- (6) an educational media supervisor who is a graduate of an accredited institution of higher education and who has experience in the field of educational media; and
- (7) any other supervisors or assistants as may be required to carry out the duties of his office."

Section 17. Section 20-3-106, MCA, is amended to read:

"20-3-106. Supervision of schools — powers and duties. The superintendent of public instruction has the general supervision of the public schools and districts of the state, and he shall perform the following duties or acts in implementing and enforcing the provisions of this title:

- (1) resolve any controversy resulting from the proration of costs by a joint board of trustees under the provisions of 20-3-362;
- (2) issue, renew, or deny teacher certification and emergency authorizations of employment;
- (3) negotiate reciprocal tuition agreements with other states in accordance with the provisions of 20-5-314;
- (4) serve on the teachers' retirement board in accordance with the provisions of 2-15-1010;
- (5) approve or disapprove the orders of a high school boundary commission in accordance with the provisions of 20-6-311;
- (6) approve or disapprove the opening or reopening of a school in accordance with the provisions of 20-6-502, 20-6-503, 20-6-504, or 20-6-505;
- (7) approve or disapprove school isolation within the limitations prescribed by 20-9-302;
- (8) generally supervise the school budgeting procedures prescribed by law in accordance with the provisions of 20-9-102 and prescribe the school budget format in accordance with the provisions of 20-9-103 and 20-9-506;
- (9) establish a system of communication for calculating joint district revenues in accordance with the provisions of 20-9-151;
- (10) approve or disapprove the adoption of a district's emergency budget resolution under the conditions prescribed in 20-9-163 and publish rules for an application for additional state aid for an emergency budget in accordance with the approval and disbursement provisions of 20-9-166;
- (11) generally supervise the school financial administration provisions as prescribed by 20-9-201(2);
- (12) prescribe and furnish the annual report forms to enable the districts to report to the county superintendent in accordance with the

provisions of 20-9-213(5) and the annual report forms to enable the county superintendents to report to the superintendent of public instruction in accordance with the provisions of 20-3-209;

(13) approve, disapprove, or adjust an increase of the average number belonging (ANB) in accordance with the provisions of 20-9-313 and 20-9-314;

(14) distribute state equalization aid in support of the foundation program in accordance with the provisions of 20-9-342, 20-9-346, and 20-9-347;

(15) estimate the statewide equalization level for the foundation program in accordance with the provisions of 20-9-348;

(16) distribute state impact aid in accordance with the provisions of 20-9-304;

(17) provide for the uniform and equal provision of transportation by performing the duties prescribed by the provisions of 20-10-112;

(18) approve or disapprove an adult education program for which a district proposes to levy a tax in accordance with the provisions of 20-7-705;

(19) request, accept, deposit, and expend federal moneys in accordance with the provisions of 20-9-603(1);

(20) authorize the use of federal moneys for the support of an inter-local cooperative agreement in accordance with the provisions of 20-9-703 and 20-9-704;

(21) prescribe the form and contents of and approve or disapprove interstate contracts in accordance with the provisions of 20-9-705;

(22) approve or disapprove the conduct of school on a Saturday or on pupil-instruction-related days in accordance with the provisions of 20-1-303 and 20-1-304;

(23) recommend standards of accreditation for all schools to the board of public education and evaluate compliance with such standards and recommend accreditation status of every school to the board of public education in accordance with the provisions of 20-7-101 and 20-7-102;

(24) collect and maintain a file of curriculum guides and assist schools with instructional programs in accordance with the provisions of 20-7-113 and 20-7-114;

(25) establish and maintain a library of visual, aural, and other educational media in accordance with the provisions of 20-7-201;

(26) license textbook dealers and initiate prosecution of textbook dealers violating the law in accordance with the provisions of the textbooks part of this title;

(27) as the governing agent and executive officer of the state of Montana for K-12 vocational education, adopt the policies prescribed by and in accordance with the provisions of 20-7-301;

~~(28) consider applications for the designation of a postsecondary vocational-technical center in accordance with the provisions of 20-7-311;~~

~~(29) establish a fund for the handling of postsecondary vocational-technical center fees in accordance with the provisions of 20-7-333;~~

~~(30)~~(28) supervise and coordinate the conduct of special education in the state in accordance with the provisions of 20-7-403;

~~(31)~~(29) administer the traffic education program in accordance with the provisions of 20-7-502;

~~(32)~~(30) administer the school food services program in accordance with the provisions of 20-10-201, 20-10-202, and 20-10-203;

~~(33)~~(31) review school building plans and specifications in accordance with the provisions of 20-6-622;

~~(34)~~(32) prescribe the method of identification and signals to be used by school safety patrols in accordance with the provisions of 20-1-408; and

~~(35)~~(33) perform any other duty prescribed from time to time by this title, any other act of the legislature, or the policies of the board of public education."

Section 18. Section 20-3-324, MCA, is amended to read:

"20-3-324. Powers and duties. As prescribed elsewhere in this title, the trustees of each district shall have the power and it shall be their duty to perform the following duties or acts:

(1) employ or dismiss a teacher, principal, or other assistant upon the recommendation of the district superintendent, the county high school principal, or other principal as the board may deem necessary, accepting or rejecting such recommendation as the trustees shall in their sole discretion determine, in accordance with the provisions of Title 20, chapter 4;

(2) employ and dismiss administrative personnel, clerks, secretaries, teacher aides, custodians, maintenance personnel, school bus drivers, food service personnel, nurses, and any other personnel deemed necessary to carry out the various services of the district;

(3) administer the attendance and tuition provisions and otherwise govern the pupils of the district in accordance with the provisions of the pupils chapter of this title;

(4) call, conduct, and certify the elections of the district in accordance with the provisions of the school elections chapter of this title;

(5) participate in the teachers' retirement system of the state of Montana in accordance with the provisions of the teachers' retirement system chapter of Title 19;

(6) participate in district boundary change actions in accordance with the provisions of the districts chapter of this title;

(7) organize, open, close, or acquire isolation status for the schools of the district in accordance with the provisions of the school organization part of this title;

(8) adopt and administer the annual budget or an emergency budget of the district in accordance with the provisions of the school budget system part of this title;

(9) conduct the fiscal business of the district in accordance with the provisions of the school financial administration part of this title;

- (10) establish the ANB, foundation program, permissive levy, additional levy, cash reserve, and state impact aid amount for the general fund of the district in accordance with the provisions of the general fund part of this title;
- (11) establish, maintain, budget, and finance the transportation program of the district in accordance with the provisions of the transportation parts of this title;
- (12) issue, refund, sell, budget, and redeem the bonds of the district in accordance with the provisions of the bonds parts of this title;
- (13) when applicable, establish, financially administer, and budget for the tuition fund, retirement fund, building reserve fund, adult education fund, nonoperating fund, school food services fund, miscellaneous federal programs fund, building fund, housing and dormitory fund, traffic education fund, and interlocal cooperative agreement fund in accordance with the provisions of the other school funds parts of this title;
- (14) when applicable, administer any interlocal cooperative agreement, gifts, legacies, or devises in accordance with the provisions of the miscellaneous financial parts of this title;
- (15) hold in trust, acquire, and dispose of the real and personal property of the district in accordance with the provisions of the school sites and facilities part of this title;
- (16) operate the schools of the district in accordance with the provisions of the school calendar part of this title;
- (17) establish and maintain the instructional services of the schools of the district in accordance with the provisions of the instructional services, textbooks, K-12 vocational education, and special education parts of this title;
- (18) establish and maintain the school food services of the district in accordance with the provisions of the school food services parts of this title;
- (19) make such reports from time to time as the county superintendent, superintendent of public instruction, and board of public education may require;
- (20) retain, when deemed advisable, a physician or registered nurse to inspect the sanitary conditions of the school or the general health conditions of each pupil and, upon request, make available to any parent or guardian any medical reports or health records maintained by the district pertaining to his child;
- (21) for each member of the trustees, visit each school of the district not less than once each school fiscal year to examine its management, conditions, and needs;
- (22) procure and display outside daily in suitable weather at each school of the district an American flag which shall be not less than 4 feet by 6 feet; and
- (23) perform any other duty and enforce any other requirements for the government of the schools prescribed by this title, the policies of the board of public education, or the rules of the superintendent of public instruction."

Section 19. Section 20-6-501, MCA, is amended to read:

"20-6-501. Definition of various schools. As used in this title, unless the context clearly indicates otherwise, the term "school" means an institution for the teaching of children that is established and maintained under the laws of the state of Montana at public expense. The trustees of any district shall designate the grade assignments for the schools of the district, but for the purposes of this title each school shall be known as:

(1) an elementary school when it comprises the work of any combination of kindergarten, other preschool programs, or the first eight grades or their equivalents. A middle school is a school comprising the work of grades 4 through 8 or any combination thereof that has been accredited as a middle school under the provisions of 20-7-102. When an accredited junior high school or an accredited 6-year high school is operated by the district, grades 7 and 8 or their equivalents shall not be considered as elementary grades.

(2) a high school when it comprises the work of one or more grades of schoolwork or their equivalents intermediate between the elementary schools and the institutions of higher education of the state of Montana. Types of high schools shall be designated as follows:

(a) a junior high school is a school comprising the work of grades 7 through 9 or their equivalents that has been accredited as a junior high school under the provisions of 20-7-102;

(b) a senior high school is a school which comprises the work of grades 10 through 12 or their equivalents and which is operated in conjunction with a junior high school;

(c) a 6-year high school is a school comprising the work of grades 7 through 12 or their equivalents that has been accredited as a 6-year high school under the provisions of 20-7-102;

(d) a 4-year high school is a school comprising the work of grades 9 through 12 or their equivalents;

(e) a county high school is a 4-year high school operated as an agency of county government and established under the provisions of the acts of March 3, 1899, March 14, 1901, and any subsequent amendments thereto;

~~(f) a postsecondary vocational-technical center established under the provisions of 20-7-311."~~

Section 20. Section 20-7-301, MCA, is amended to read:

"20-7-301. Duties of the superintendent of public instruction. The superintendent of public instruction shall be the governing agent and executive officer of the state of Montana for K-12 vocational education. The superintendent of public instruction shall adopt and administer policies to effect the orderly development of a system of K-12 vocational education that is adaptable to changing needs, controlled to prevent unnecessary duplication, coordinated with federal guidelines and requirements for vocational education, and funded to ensure growth and quality programming. In order to accomplish the orderly development of a system of K-12 vocational education, the superintendent of public instruction policies shall include:

(1) a state plan for such development;

(2) standards for K-12 vocational education courses and programs;

- ~~(3) the minimum requirements for granting postsecondary vocational technical certificates to students;~~
- ~~(4)(3) a review process for the establishment and deletion of programs;~~
- ~~(5) the necessary qualifications that a postsecondary vocational-technical center director must possess;~~
- ~~(6)(4) instructor qualifications for K-12 vocational education courses and programs;~~
- ~~(7)(5) criteria for approval of K-12 vocational education courses and programs which are to receive financial assistance;~~
- ~~(8) criteria for receiving, reviewing, and transmitting recommendations on postsecondary vocational-technical center operations and budget requests to the legislature;~~
- ~~(9)(6) a basis for apportionment of all moneys appropriated by the legislature for K-12 vocational education in accordance with the intent of the legislature as reflected in the terms of the appropriation;~~
- ~~(10)(7) a basis for apportionment of all moneys received by the state of Montana for K-12 vocational education from the federal government in accordance with the acts of congress;~~
- ~~(11)(8) a system of evaluation of K-12 vocational education which allows for consideration of the current and projected manpower needs and job opportunities; and~~
- ~~(12) the tuition and fees to be charged at the postsecondary vocational technical centers; based upon legislative appropriations available to the superintendent of public instruction for postsecondary vocational-technical centers;~~
- ~~(13) the allowable costs for rental of buildings for postsecondary vocational-technical center purposes;~~
- ~~(14) guidelines for the authority delegated by the superintendent of public instruction to the local school district board of trustees operating a postsecondary vocational-technical center; and~~
- ~~(15)(9) any other policy not inconsistent with public law and which is necessary for the proper operation of a system of K-12 vocational education."~~

Section 21. Section 20-7-302.1, MCA, is amended to read:

"20-7-302.1. State director of K-12 vocational education — duties. There is a state director of K-12 vocational education appointed by the superintendent of public instruction. He must:

- (1) administer the K-12 vocational education policies adopted by the superintendent of public instruction;
- (2) prepare curriculum guides for superintendent of public instruction adoption;
- (3) employ, with the confirmation of the superintendent of public instruction, the professional staff necessary for the state supervision and administration of K-12 vocational education;
- (4) report the status of K-12 vocational education in the state of Montana when requested by the superintendent of public instruction;

- (5) keep all K-12 vocational education records in his office;
- (6) provide K-12 vocational education supervisory and consultative assistance to districts;
- ~~(7) provide a postsecondary vocational-technical center system policy and procedural handbook for institutional operations that will standardize operations among the centers;~~
- ~~(8) identify and direct the county treasurer in those counties where postsecondary vocational-technical centers are located to establish the necessary multifund structures for postsecondary vocational-technical center financial operations;~~
- ~~(9) meet with the chairman of the board of trustees, the district superintendent, and center director of each postsecondary vocational-technical center at least twice each year to discuss recommended changes in the superintendent of public instruction's policies and procedures;~~
- ~~(10) formulate and put into effect uniform fiscal, student, staff, and program accounting systems for the postsecondary vocational-technical centers;~~
- ~~(11)~~(7) prepare any necessary reports for the superintendent of public instruction or the legislature; and
- ~~(12) represent the postsecondary vocational-technical center system to state agencies, associations, and others when appropriate;~~
- ~~(13) recommend a staffing pattern for the postsecondary vocational-technical centers;~~
- ~~(14) provide for the evaluation of programs and services within each postsecondary vocational-technical center;~~
- ~~(15) provide for evaluation of each postsecondary vocational-technical center's ability to meet employment and student vocational-technical education needs; and~~
- ~~(16)~~(8) perform any other duty assigned by the superintendent of public instruction."

Section 22. Section 20-7-303, MCA, is amended to read:

"20-7-303. ~~District authorization~~ Authorization to establish and maintain vocational education courses and programs. (1) The trustees of ~~any an elementary or high school district; community college district, or unit of the Montana university system~~ may establish and maintain a vocational education course or program that complies with the K-12 vocational education standards adopted by the superintendent of public instruction. The trustees of a community college district or a unit of the Montana university system may establish and maintain a postsecondary vocational-technical education course or program.

(2) In order for a course or program to be eligible for state or federal financing, it shall be approved by:

(a) the superintendent of public instruction for compliance with K-12 vocational education standards;

(b) the board of vocational-technical institutes for compliance with postsecondary vocational-technical institute standards; or

(c) the board of regents for courses and programs offered by a unit of the Montana university system or by a community college."

Section 23. Section 20-7-311, MCA, is amended to read:

"20-7-311. Postsecondary vocational-technical center Vocational-technical institute designation. (1) Postsecondary vocational-technical centers Vocational-technical institutes shall be designated by the superintendent of public instruction only board of vocational-technical institutes upon direction of the legislature. Applications for designation must be made in accordance with the following procedure:

(a) The trustees of any high school district, of a county high school, of a community college district, or the governing board of any unit of the Montana university system board of regents may submit an application for designation of a postsecondary vocational-technical center to be operated by such trustees or governing board institute. The application for designation shall be submitted in accordance with the time, data, and form requirements prescribed by the superintendent of public instruction board of vocational-technical institutes. Applicant high school districts, county high schools, or community college districts shall be located in a county with a taxable valuation of at least \$45 million.

(b) Applications are to be presented to the superintendent of public instruction. The superintendent of public instruction board of vocational-technical institutes, which shall examine the application and draft recommendations. The application, together with all recommendations, shall be presented by the superintendent of public instruction board of vocational-technical institutes to the next following legislature.

(2) The superintendent of public instruction board of vocational-technical institutes shall recognize the presently designated postsecondary vocational-technical centers operated by the respective board of trustees of institutes designated prior to July 1, 1986, in school district number 1 of Silver Bow County, high school district number 1 of Lewis and Clark County, high school district "A" of Cascade County, Missoula County high school, and high school district number 2 of Yellowstone County."

Section 24. Section 20-7-312, MCA, is amended to read:

"20-7-312. Local administration of vocational-technical institute. (1) Subject to the requirements of the laws of the state of Montana and the policies and rules of the superintendent of public instruction as administered by the state director of vocational education, the board of trustees operating a postsecondary board of vocational-technical institutes, the director of each vocational-technical center institute has administrative and supervisory control of the institute and shall:

(a) employ, from among qualified applicants, a postsecondary vocational-technical center director;

(b)(a) employ administrative personnel, faculty members, and employees for the postsecondary vocational-technical center institute according to the policies and procedures rules of the board of trustees vocational-technical institutes;

(c)(b) recommend, develop, and submit budgets a recommended budget for the postsecondary vocational-technical centers institute;

~~(d)~~(c) ~~establish and~~ collect student tuition and fees;

~~(e)~~(d) recommend to the superintendent of public instruction through the state director of vocational education board of vocational-technical institutes:

(i) proposals regarding postsecondary vocational-technical center institute programs, budgets, student services, and public service activities; and

(ii) campus development and program plans for individual postsecondary vocational-technical center institute buildings;

~~(f)~~(e) manage buildings ~~erected and equipped on leased grounds at the vocational-technical institute~~;

~~(g)~~(f) receive and administer gifts and bequests to the postsecondary vocational-technical center institute according to a written plan submitted to the superintendent of public instruction board of vocational-technical institutes; and

~~(h)~~(g) perform any other administrative responsibilities duties not inconsistent with law and required by the superintendent of public instruction board of vocational-technical institutes.

(2) The board of trustees operating director of a postsecondary vocational-technical center institute may not enter into any contract that in any way creates a debt or obligation upon the state for the improvement or construction of postsecondary vocational-technical center institute buildings on leased property."

Section 25. Section 20-7-314, MCA, is amended to read:

"20-7-314. Lease or purchase of state property for postsecondary vocational-technical center institute purposes. (1) The state of Montana, acting by and through the superintendent of public instruction, is hereby empowered and authorized to enter into a board of vocational-technical institutes, may lease agreement for a term not to exceed 40 years in order to lease to a district operating a postsecondary vocational-technical center any building or lands owned by the state and financed in whole or in part by an appropriation made by the legislature of the state of Montana for the purpose of supporting the district's postsecondary a vocational-technical center institute. The consideration necessary to support such a lease may be nominal.

(2) The superintendent of public instruction is hereby authorized to transfer or direct transfer of title held by the state of Montana in buildings or lands financed in whole or in part by an appropriation by the state legislature to a district operating a postsecondary vocational-technical center, at any time the superintendent of public instruction deems such transfer to be in the best interests of both the state and the district involved; provided that this authorization extends only to buildings or lands which are to be used by the district for postsecondary vocational-technical education purposes. The state of Montana, acting through the board of postsecondary vocational-technical institutes and on request of a school district, may lease or purchase the equity or interest of the school district in any building, land, or other property at a vocational-technical institute on terms agreed to between the board of vocational-technical institutes and the school district. A purchase may be by lump-sum payment, time payments, the assumption of bonded indebtedness, or any other mutually agreeable method. Money received by a school

district from the lease or sale under this subsection (2) of the school district's equity or interest in a building, land, or other property must be credited to the debt service fund, building fund, general fund, or any combination of these funds, at the discretion of the trustees of the school district."

Section 26. Section 20-7-322, MCA, is amended to read:

"20-7-322. State treasurer custodian of vocational education ~~moneys~~ money. (1) The treasurer of the state of Montana is hereby designated as the custodian of all federal and state ~~moneys~~ money designated, appropriated, or apportioned for vocational education. All ~~moneys~~ money received from any federal or state source for the establishment, operation, or furtherance of vocational education in the state shall be deposited with the state treasurer. At the direction of the superintendent of public instruction, he shall disburse all ~~moneys~~ appropriated or money received for K-12 vocational education. At the direction of the board of regents, he shall disburse all money received for postsecondary vocational-technical education.

(2) The state treasurer is the treasurer for all postsecondary vocational-technical ~~centers~~ institutes, and all money received by postsecondary vocational-technical ~~centers~~ institutes from any source shall be deposited in the state treasury pursuant to 17-6-105, unless the source of the money specifies deposit somewhere other than in the state treasury."

Section 27. Section 20-7-324, MCA, is amended to read:

"20-7-324. Sources of financing for ~~postsecondary~~ vocational-technical ~~center~~ institute budgets — ~~superintendent of public instruction administration~~ distribution of funds. (1) The total of the vocational-technical institute budgets approved by the ~~superintendent of public instruction~~ board of vocational-technical institutes, together with the budget for the cost of state administration of the ~~postsecondary~~ vocational-technical ~~centers~~ institutes, shall constitute the total maximum approved statewide budget, which shall be financed as follows:

(a) The primary source of financing is to be those funds specifically designated by legislative enactment or referendum by the people for financing ~~postsecondary~~ vocational-technical education institutes in Montana.

(b) The board of county commissioners of each county in which a designated ~~postsecondary~~ vocational-technical center is located is hereby authorized to levy a tax of not to exceed 1¼ mills for calendar year 1979 and 1½ mills thereafter on the dollar of all taxable property, real and personal, within the county for the support and maintenance of the ~~postsecondary~~ vocational-technical center located within the county.

(c)(b) Designated ~~postsecondary~~ vocational-technical ~~centers~~ institutes shall be eligible to receive such funds from the federal government as the ~~superintendent of public instruction~~ board of vocational-technical institutes may provide pursuant to applicable acts of congress.

(d) The board of trustees of any designated high school district or county high school district where a ~~postsecondary~~ vocational-technical center is located may be required, as a condition for the construction in that district of a ~~postsecondary~~ vocational-technical

center, or any part thereof, to furnish up to 50% of the amount of funds required for any such construction. The percentage of construction funds to be furnished by the designated district shall be derived, in whole or in part, from any of the following sources:

(i)—the sale of bonds issued by that district (such bonds shall be issued in conformity with the requirements of chapter 9, part 4, of this title in the case of high school and county high school district);

(ii)—any other funds available to that district which may be legally and properly applied toward such construction;

(iii)—the reasonable value of land, buildings, fixtures, or equipment furnished by that district, subject to the approval of the superintendent of public instruction.

(2) The superintendent of public instruction board of vocational-technical institutes shall direct the distribution of the funds specified in subsections ~~(1)(a)~~ and ~~(1)(c)~~ subsection (1) on the basis of the budgets approved by the superintendent of public instruction board of vocational-technical institutes. The funds earned by the mill levy specified in subsection ~~(1)(b)~~ shall be credited by the county treasurer to the postsecondary vocational-technical center fund.

(3) The superintendent of public instruction shall determine the amount of financing available from these four sources of revenue and may approve budgets for maintenance and operation, construction, and ancillary services. The aggregate amount of the budgets so approved by the superintendent of public instruction for postsecondary vocational-technical centers shall not exceed the moneys determined to be available."

Section 28. Section 20-7-325, MCA, is amended to read:

"20-7-325. Postsecondary vocational-technical center Vocational-technical institute funding — nongeneral fund money expended first — reversion of general fund money. (1) Whenever an approved ~~postsecondary vocational-technical center institute~~ under the provisions of 20-7-311 is operated ~~within a district~~, the ~~trustees of such district board of vocational-technical institutes~~ shall request the establishment of the appropriate accounts in the state treasury. These accounts shall be established in the appropriate state treasury funds as determined by the department of administration. All money prescribed and received under the provisions of 20-7-324 shall be credited to these accounts. The expenditure of the money deposited in the state treasury shall be made in accordance with procedures established by the department of administration. Such expenditures shall be made under the budget and for the programs approved by the ~~superintendent of public instruction under the provisions of 20-7-323 board of vocational-technical institutes~~ and the financial administration provisions of this title.

(2) A ~~postsecondary vocational-technical center institute~~ shall apply expenditures against nongeneral fund money wherever possible before using state general fund appropriations. All state general fund money appropriated or disbursed to a ~~postsecondary vocational-technical center institute~~ which are unexpended at fiscal year end shall revert to the state general fund.

(3) The approval of the postsecondary vocational-technical center budget and subsequent revision or amendment of such budget by the

superintendent of public instruction shall constitute the final budget approval.

(4) ~~Whenever the county tax prescribed in 20-7-324(1)(b) is to be used in support of the postsecondary vocational-technical center, the county commissioners are authorized to levy such tax on the county in accordance with the provisions of 20-9-142."~~

Section 29. Section 20-7-327, MCA, is amended to read:

"20-7-327. Source of financing for ~~postsecondary~~ vocational-technical ~~center institute~~ facility maintenance. The source of funds for maintenance, remodeling, and renovation of ~~postsecondary~~ vocational-technical ~~center institute~~ facilities may be ~~either local funds federal funds~~ or state funds specifically appropriated by the legislature and approved by the ~~superintendent of public instruction board of vocational-technical institutes, or any combination of these funds."~~

Section 30. Section 20-7-332, MCA, is amended to read:

"20-7-332. Tuition rates. (1) Tuition may be charged to any resident or nonresident of the state of Montana by the governing board director of any ~~postsecondary~~ vocational-technical ~~center institute~~ at rates to be determined by the superintendent of public instruction board of vocational-technical institutes. The superintendent of public instruction board of vocational-technical institutes shall also prescribe permissible uses for any tuition authorized.

(2) For the purposes of this section the eligibility of a student for resident status shall be determined in the same manner as that prescribed for use by the Montana university system, except that those provisions referring to "high school graduates" or "graduation from high school" shall be considered to refer to a person who has attended school or who was in attendance at a school."

Section 31. Section 20-7-333, MCA, is amended to read:

"20-7-333. Pupil Student fees and disposition of collected fees. (1) Fees for the use of equipment and material used in instruction may be charged by the ~~trustees or other governing board director~~ of the ~~postsecondary~~ vocational-technical ~~center institute~~. The superintendent of public instruction board of vocational-technical institutes shall prescribe the ~~basis~~ bases and limitations for the charging of such fees.

(2) Fees collected by the ~~postsecondary~~ vocational-technical ~~center institute~~ shall be deposited with the state treasurer in the fund designated by the superintendent of public instruction board of vocational-technical institutes for the receipt of such fees. The expenditure of the fees shall not be subject to budget limitations and shall be in addition to the program budgets approved by the superintendent of public instruction board of vocational-technical institutes."

Section 32. Section 20-9-403, MCA, is amended to read:

"20-9-403. Bond issues for certain purposes. (1) The trustees of a school district may issue and negotiate bonds on the credit of the school district for the purpose of:

(a) building, altering, repairing, buying, furnishing, equipping, purchasing lands for, and/or obtaining a water supply for a school, teacherage, dormitory, gymnasium, other building, or combination of

said buildings for school purposes; ~~including postsecondary vocational-technical centers in the school district;~~

- (b) buying a school bus or buses;
- (c) providing the necessary money to redeem matured bonds, maturing bonds, or coupons appurtenant to bonds when there is not sufficient money to redeem them;
- (d) providing the necessary money to redeem optional or redeemable bonds when it is for the best interest of the school district to issue refunding bonds; or
- (e) funding a judgment against the district.

(2) Any money realized from the sale of any bonds issued on the credit of a high school district shall not be used for any of the above purposes in an elementary school district, and such money may be used for any of the above purposes for a junior high school but only to the extent that the 9th grade of the high school is served thereby."

Section 33. Section 20-9-513, MCA, is amended to read:

"20-9-513. ~~Postsecondary vocational-technical center~~ Vocational-technical institute and adult basic education programs account established. There is within the state special revenue fund a ~~postsecondary vocational-technical center~~ institute and adult basic education account. Money is paid into the account under 90-6-211. The state treasurer shall draw warrants payable from this account upon order of the superintendent of public instruction or the board of vocational-technical institutes up to the amount provided for each under 90-6-211 by the biennial budget passed by the legislature."

Section 34. Section 20-9-603, MCA, is amended to read:

"20-9-603. Acceptance and expenditure of federal moneys for state.
(1) (a) The governor and the superintendent of public instruction are authorized on behalf of the state of Montana to request and accept such moneys as are now or will be made available under any act of congress of the United States or otherwise for purposes of public school building construction or for any other purposes of public schools and public education as permitted under the laws of the state of Montana and as authorized by the grants from the federal government. Such moneys shall be deposited by the governor and superintendent of public instruction in the state treasury and are appropriated and made available to the superintendent of public instruction. All such moneys shall be expended for the purpose of public school building construction or for any other purposes of public schools and public education as permitted under the laws of the state of Montana and as authorized by the grants from the federal government.

~~(2)~~(b) The governor and superintendent of public instruction are further authorized on behalf of the state of Montana to accept moneys provided from federal sources for the express purpose of distribution to nonpublic education. Such moneys shall be deposited by the governor and superintendent of public instruction in the state treasury and are appropriated and made available to the superintendent of public instruction. All such moneys shall be distributed in the manner provided by the laws of the state of Montana and as authorized or expressed by grants from the federal government.

(3)(c) All expenditures of moneys from federal sources under this ~~section~~ subsection (1) shall be made under the supervision and in the discretion of the superintendent of public instruction. Any balance in the account in which such moneys are maintained shall not lapse at any time but shall be continuously available to the superintendent of public instruction for expenditures consistent with this title and acts of the federal government.

(2) (a) The governor and the board of regents are authorized on behalf of the state of Montana to request and accept such moneys as are now or will be made available under any act of congress of the United States or otherwise for purposes of postsecondary vocational-technical education building construction or for any other purposes of postsecondary vocational-technical education as permitted under the laws of the state of Montana and as authorized by the grants from the federal government. Such moneys shall be deposited by the governor and the board of regents in the state treasury and are appropriated and made available to the board of vocational-technical institutes or the board of regents. All such moneys shall be expended for the purpose of postsecondary vocational-technical education building construction or for any other purposes of postsecondary vocational-technical education as permitted under the laws of the state of Montana and as authorized by the grants from the federal government.

(b) The governor and the board of regents are further authorized on behalf of the state of Montana to accept moneys provided from federal sources for the express purpose of distribution to nonpublic postsecondary vocational-technical education. Such moneys shall be deposited by the governor and the board of regents in the state treasury. All such moneys shall be distributed in the manner provided by the laws of the state of Montana and as authorized or expressed by grants from the federal government.

(c) All expenditures of moneys from federal sources under this subsection (2) shall be made under the supervision and in the discretion of the board of regents. Any balance in the account in which such moneys are maintained shall not lapse at any time but shall be continuously available to the board of regents for expenditures consistent with this title and acts of the federal government."

Section 35. Section 20-25-701, MCA, is amended to read:

"20-25-701. Definitions and purpose. (1) As used in this part, unless the context otherwise requires, the following definitions apply:

(a) "Institution" means any public institution of postsecondary education governed, supervised, or coordinated by the board of regents of higher education or by the board of vocational-technical institutes.

(b) "Student" means any Montana resident, as established by the board of regents of higher education or by the board of vocational-technical institutes, who has met the qualifications for enrollment as a full-time student at an institution or who is presently enrolled as a full-time student in good standing, as determined by the institution.

(2) It is the purpose of this part to help ensure that no resident of Montana be denied attendance at institutions governed, supervised, or coordinated by the board of regents of higher education or by the

board of vocational-technical institutes because of financial barriers and further to provide low-cost supplemental assistance for all governing units within Montana. The legislature intends that any Montana resident wishing to gain admittance to such institutions in Montana, within necessary budgetary limitations as provided by law, shall be allowed the opportunity to earn in part or in total sufficient money to pay the costs accompanying such attendance through employment by state and local governing units and certain public interest organizations."

Section 36. Section 39-71-118, MCA, is amended to read:

"39-71-118. Employee, worker, and workman defined. (1) The terms "employee", "workman", or "worker" mean:

(a) each person in this state, including a contractor other than an independent contractor, who is in the service of an employer, as defined by 39-71-117, under any appointment or contract of hire, expressed or implied, oral or written. The terms include aliens and minors, whether lawfully or unlawfully employed, and all of the elected and appointed paid public officers and officers and members of boards of directors of quasi-public or private corporations while rendering actual service for such corporations for pay. Casual employees as defined by 39-71-116(3) are included as employees if they are not otherwise covered by workers' compensation and if an employer has elected to be bound by the provisions of the compensation law for these casual employments, as provided in 39-71-401(2). Household or domestic service is excluded.

(b) a recipient of general relief who is performing work for a county of this state under the provisions of 53-3-302 through 53-3-305 and any juvenile performing work under authorization of a district court judge in a delinquency prevention or rehabilitation program;

(c) a person receiving on-the-job vocational rehabilitation training or other on-the-job training under a state or federal vocational training program, whether or not under an appointment or contract of hire with an employer as defined in this chapter and whether or not receiving payment from a third party. However, this subsection does not apply to students enrolled in vocational training programs as outlined above while they are on the premises of a public school or community college; or

(d) ~~students enrolled and in attendance in programs of vocational technical postsecondary vocational-technical education approved by the state board of public education at designated postsecondary vocational technical centers~~ vocational-technical institutes.

(2) If the employer is a partnership or sole proprietorship, such employer may elect to include as an employee within the provisions of this chapter any member of such partnership or the owner of the sole proprietorship devoting full time to the partnership or proprietorship business. In the event of such election, the employer must serve upon the employer's insurer written notice naming the partners or sole proprietor to be covered, and no partner or sole proprietor shall be deemed an employee within this chapter until such notice has been given. For premium ratemaking and for the determination of weekly wage for weekly compensation benefits, the insurance carrier shall assume a salary or wage of such electing employee to be not less than \$900 a month and not more than 1 ½ times the average weekly wage as defined in this chapter."

Section 37. Section 90-6-211, MCA, is amended to read:

"90-6-211. Disposition of interest from unexpended balance. The unexpended balance in the local impact and education trust fund account shall be invested as provided by statute by the board of investments. Of the income from such investments each year 10% shall be paid into the state special revenue fund for use by the superintendent of public instruction for purposes of ~~the postsecondary vocational-technical centers~~ and adult basic education programs in the state; subject to the budgeting authority of the legislature and for use by the board of vocational-technical institutes for vocational-technical institute programs in the state, as provided in the biennium budget passed by the legislature. Within the account under 20-9-513, the revenue is shared between the ~~postsecondary vocational-technical centers~~ institutes and the adult basic education programs as provided in the biennium budget passed by the legislature. Of the remaining 90% of the income from such investments, three-fourths shall be annually paid into the state special revenue fund for state equalization aid to public schools of the state and one-fourth each year shall be paid to the board of regents of higher education for use by the institutions of higher learning in the state, subject to the budgeting authority of the legislature. Except as provided in 90-6-205(4), the principal of the local impact and educational trust fund shall be dedicated to education and forever remain inviolate and sacred to this purpose as provided in sections 3 and 10 of Article of the Montana constitution."

NEW SECTION. Section 38. Repealer. Sections 20-7-323, 20-7-326, 20-9-404, and 20-9-405, MCA, are repealed.

NEW SECTION. Section 39. Initial appointment and terms of members of board of vocational-technical institutes. Initial appointments to the board of vocational-technical institutes must be made within 30 days after [the effective date of this section]. Two initial appointees shall serve for 4 years, two shall serve for 5 years, two shall serve for 6 years, and one shall serve for 7 years.

NEW SECTION. Section 40. Extension of authority. Any existing authority of the superintendent of public instruction to make rules on the subject of the provisions of this act is extended to the provisions of this act.

NEW SECTION. Section 41. Codification instruction. Sections 2 through 5 are intended to be codified as an integral part of Title 20, chapter 7, part 3, and the provisions of Title 20 apply to sections 2 through 5.

NEW SECTION. Section 42. Code commissioner name change. In all sections of the Montana Code Annotated not contained in this act and in all provisions passed by the 49th legislature wherein reference is made to a postsecondary vocational-technical center, the code commissioner shall change the reference to vocational-technical institute.

NEW SECTION. Section 43. Effective dates. (1) Sections 1, 3, 4 through 6, 11 through 14, 39, and this section are effective on passage and approval.

(2) Sections 2, 7 through 10, 15 through 38, and 40 through 42 are effective July 1, 1986."

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 18

Section 3 of the bill requires the board of vocational-technical institutes to adopt rules implementing its powers and duties. The legislature intends these rules to encompass the full range of board powers and duties, and particularly those set out in section 3 of the bill which is effective on passage and approval. The legislature intends that the board begin the process of adopting rules and policies prior to the July 1, 1986, effective date for implementation of the remainder of the act.

The board should study the office of public instruction's postsecondary vocational-technical education rules, which are superseded by this act, since those rules may give the board guidance.

FISH AND GAME (Ream, Chairman):

2/18/85

Adverse Committee Report

HB 751, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Darko, Devlin, Ellerd, Ernst, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 88

Noes: Campbell, Cobb, Driscoll, Ellison, Eudaily, Miller, O'Connell, Spaeth, Swift, Thomas.

Total 10

Excused: Donaldson.

Total 1

Absent or not voting: McCormick.

Total 1

HIGHWAYS AND TRANSPORTATION (Harp, Chairman):

2/18/85

Adverse Committee Report

HB 697, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Asay, Bergene, J. Brown, Campbell, Cody, Compton, Devlin, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harp, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Poff, Quilici, Ramirez, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 63

Noes: Abrams, Addy, Bachini, Bardanouve, Bradley, D. Brown, Cobb, Cohen, Connelly, Darko, Driscoll, Fritz, Hansen, Harbin, Harper, Harrington, Hart, Kadas, Keenan, Kennerly, Krueger, Menahan, Mercer, Miles, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Raney, Rapp-Svrcek, Ream, Waldron.

Total 35

Excused: Donaldson.

Total 1

Absent or not voting: Brandewie.

Total 1

HUMAN SERVICES AND AGING (Keenan, Chairman):

2/18/85

Adverse Committee Report

HB 318, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cody, Cohen, Compton, Darko, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 88

Noes: D. Brown, Cobb, Connelly, Driscoll, Garcia, Hammond, Kadas, O'Hara, Ream.

Total 9

Excused: Donaldson.

Total 1

Absent or not voting: Hand, Hannah.

Total 2

JUDICIARY (Hannah, Chairman):

2/18/85

Adverse Committee Report

HB 357, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Asay, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Connelly, Devlin, Ellerd, Ellison, Ernst, Garcia, Glaser, Grady, Hammond, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Keenan, Keller, Kennerly, Keyser, Koehnke, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Patterson, Pavlovich, Peck, Peterson, Poff, Quilici, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 71

Noes: Addy, Bachini, Bardanouve, Cody, Darko, Driscoll, Eudaily, Fritz, Gilbert, Gould, Hannah, Jenkins, Kadas, Kitselman, Krueger, Lory, Miller,

Nisbet, O'Connell, O'Hara, Phillips, Pistoria, Ramirez, Ream, Simon, Winslow.

Total 26

Excused: Donaldson.

Total 1

Absent or not voting: Cohen, Hand.

Total 2

LOCAL GOVERNMENT (Darko, Chairman):

2/16/85

HB 558, do pass. Report adopted.

HB 564, do pass. Report adopted.

HB 569, introduced bill, be amended as follows:

1. Page 2, line 8.

Following: "fee"

Insert: ", not to exceed \$15,"

And, as amended, do pass. Report adopted.

HB 653, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "\$75"

Insert: "\$60"

2. Page 1, line 23.

Strike: "\$75"

Insert: "\$60"

3. Page 1, line 25.

Strike: "\$75"

Insert: "\$60"

And, as amended, do pass. Report adopted.

HB 736, introduced bill, be amended as follows:

1. Page 2, line 22.

Strike: "7-12-4221(2)"

Insert: "7-12-2181(2)"

And, as amended, do pass. Report adopted.

HB 746, do pass. Report adopted.

Adverse Committee Reports

HB 385, do not pass. Thereupon, the adverse committee report was adopted as follows: 2/18/85

Ayes: Abrams, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Compton, Connelly, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harbin, Harp, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 78

Noes: Addy, Bachini, Bardanouve, Bergene, Cobb, Cohen, Darko, Fritz, Hammond, Hansen, Harper, Harrington, Kadas, Lory, Peck, Ream, Sales, Spaeth, Winslow.

Total 19

Excused: Donaldson.

Total 1

Absent or not voting: Asay, Hand.

Total 2

HB 545, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hammond, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Donaldson.

Total 1

Absent or not voting: Grady, Hand.

Total 2

HB 642, introduced bill, be amended as follows:

2/16/85

1. Page 1, line 14.

Following: "acre,"

Insert: "or"

2. Page 1, line 17.

Following: "acre"

Strike: "; or"

Insert: "."

3. Page 1, lines 18 through 20.

Strike: subsection (c) in its entirety

4. Page 1, line 23.

Strike: ", except that the protest provisions of 7-2-4314(2) do not apply"

5. Page 2, line 1.

Strike: "7-2-4313 and 7-2-4314(1)"

Insert: "7-2-4314"

And, as amended, do not pass.

HB 647, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Asay, Bachini, Bergene, Bradley, J. Brown, Campbell, Cody, Compton, Devlin, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Mr. Speaker.
Total 74

Noes: Addy, Bardanouve, D. Brown, Cobb, Cohen, Connelly, Darko, Driscoll, Fritz, Hansen, Harbin, Kadas, Keenan, Menahan, Miles, Montayne, Pavlovich, Ramirez, Raney, Ream, Simon, Waldron, Winslow, Zabrocki.
Total 24

Excused: Donaldson.
Total 1

Absent or not voting: Brandewie.
Total 1

STATE ADMINISTRATION (Sales, Chairman): 2/18/85

Adverse Committee Reports

HB 604, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 91

Noes: Cobb, Hannah, Keyser, Nathe, Patterson, Phillips, Sales.
Total 7

Excused: Donaldson.
Total 1

Absent or not voting: Grady.
Total 1

HB 628, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Cody, Cohen, Compton, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe,

Nelson, Nisbet, O'Hara, Patterson, Peterson, Phillips, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: D. Brown, Campbell, Cobb, Connelly, Hansen, Kadas, Koehnke, O'Connell, Pavlovich, Peck, Pistoria, Quilici.

Total 12

Excused: Donaldson.

Total 1

Absent or not voting: None.

Total 0

HB 645, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Asay, Bergene, Brandewie, D. Brown, Campbell, Cobb, Compton, Devlin, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 70

Noes: Addy, Bachini, Bardanouve, Bradley, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hansen, Harbin, Harper, Harrington, Kadas, Keenan, Krueger, Miles, Montayne, J. Moore, Peck, Raney, Rapp-Svrcek, Ream, Schye, Waldron.

Total 29

Excused: Donaldson.

Total 1

Absent or not voting: None.

Total 0

HB 771, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Asay, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Devlin, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harp, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Miller, J.K. Moore, J. Moore, Nathe, Nelson, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Poff, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki.

Total 68

Noes: Addy, Bachini, Bardanouve, Cohen, Darko, Driscoll, Fritz, Hammond, Harbin, Harper, Harrington, Hart, Kadas, Keenan, Krueger, Menahan, Mercer, Miles, Montayne, Nisbet, O'Connell, Peck, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Thomas, Mr. Speaker.

Total 30

Excused: Donaldson.

Total 1

Absent or not voting: Pistoria.

Total 1

MOTIONS

Representative Rapp-Svrcek moved that consideration of HB 646 be passed for the day. Motion carried.

Representative Jones moved that HB 399 be taken from the table in the Committee on Education and Cultural Resources and printed and placed on second reading. Motion failed. (37-61)

Representative Gould moved that consideration of HB 585 be passed until the 39th legislative day. Motion carried.

Representative Jenkins moved that HB 801 be taken from the Committee on Judiciary and rereferred to the Committee on State Administration. Motion carried.

Representative Donaldson present at this time.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 864, introduced by Fritz, Hannah, (By Request of the House State Administration Committee). Referred to Committee on State Administration.

HB 865, introduced by Hannah. Referred to Committee on Local Government.

HB 866, introduced by Ernst, Tveit, E. Smith, Manuel, Cody, Neuman, Conover, Schye, Poff. Referred to Committee on Appropriations.

HB 867, introduced by Kadas, Waldron. Referred to Committee on State Administration.

HB 868, introduced by Kadas. Referred to Committee on Business and Labor.

HB 869, introduced by Menahan, Harrington, Pavlovich, Keenan, Rapp-Svrcek, Darko, Krueger. Referred to Committee on Taxation.

HB 870, introduced by D. Brown, Waldron. Referred to Committee on Local Government.

HB 871, introduced by J. Brown, Pistoria, Hand, J. Hammond, Connely, Mazurek, Fuller, Grady, Harper. Referred to Committee on State Administration.

HB 872, introduced by Keenan, Menahan, Campbell, Lynch, Haffey. Referred to Committee on Human Services and Aging.

HB 873, introduced by Fritz, Thayer, Fuller, Pinsoneault, Harbin, Bergene, Sales, J.K. Moore, Cohen, Cody, Zabrocki, Sands, Raney, B. Brown, Peck, Mazurek, Blaylock, Christiaens, Donaldson, Eudaily, Lory, Darko, E. Smith, Jones, Peterson, O'Connell, Ellison, Wallin, Asay, Hayne, Howe, Kitselman, Gilbert, J. Hammond, J. Brown, Abrams, Keller, Kennerly, Hansen, Hannah, Kadas, Rehberg, Nelson, Keenan, Krueger, Pavlovich, J. Moore, Addy, Gould, Hand, Montayne, Rapp-Svrcek, Vincent, Harper, Koehnke, Mercer, Spaeth, Phillips, Holliday, Nisbet, Ream, (By Request of the Governor). Referred to Committee on Appropriations.

HB 874, introduced by Kadas. Referred to Committee on Business and Labor.

HB 875, introduced by Ramirez, Phillips. Referred to Committee on State Administration.

HB 876, introduced by Abrams. Referred to Committee on Appropriations.

HJR 33, introduced by Bardanoue. Referred to Committee on State Administration.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 85 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanoue, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Cobb, Cody, Hart, Jones, Nisbet.

Total 5

Excused: None.

Total 0

Absent or not voting: D. Brown, Hansen, Krueger.

Total 3

HB 238 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanoue, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 406 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sands, Schye, Simon, Smith, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.
Total 82

Noes: Ellerd, Hannah, Hanson, Jenkins, Keyser, Koehnke, Peterson, Ramirez, Rehberg, Sales, Schultz, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.
Total 17

Excused: None.
Total 0

Absent or not voting: D. Brown.
Total 1

HB 475 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Glaser, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 88

Noes: Campbell, Gilbert, Gould, Hannah, Harp, Keyser, Miller, J.K. Moore, Peterson, Rehberg, Sales.
Total 11

Excused: None.
Total 0

Absent or not voting: Krueger.
Total 1

HB 487 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz,

Schye, Simon, Smith, Spaeth, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Cody, Gilbert, Glaser, Kadas.

Total 4

Excused: None.

Total 0

Absent or not voting: Krueger, O'Connell, Swift.

Total 3

HB 517 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Hanson, Raney, Sales.

Total 3

Excused: None.

Total 0

Absent or not voting: Hammond, Krueger.

Total 2

HB 519 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Marks, Sales.

Total 2

Excused: None.

Total 0

Absent or not voting: Krueger.

Total 1

HB 530 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Krueger, Mercer.

Total 2

HB 573 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Krueger.

Total 1

HB 574 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: D. Brown.

Total 1

Excused: None.

Total 0

Absent or not voting: Krueger.

Total 1

HB 576 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 86

Noes: Brandewie, Ellerd, Ellison, Hannah, Harp, Jones, Keyser, J.K. Moore, Peck, Simon, Smith, Winslow.

Total 12

Excused: None.

Total 0

Absent or not voting: Connelly, Krueger.

Total 2

HB 580 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schye, Spaeth, Switzer, Waldron, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 81

Noes: Cobb, Ellerd, Glaser, Hannah, Hanson, Marks, J.K. Moore, Nathe, Phillips, Ramirez, Sales, Schultz, Simon, Smith, Swift, Thoft, Thomas, Winslow.

Total 18

Excused: None.

Total 0

Absent or not voting: Krueger.

Total 1

HB 581 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Koehnke, Nisbet.

Total 2

Excused: None.

Total 0

Absent or not voting: Krueger.

Total 1

HB 586 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Krueger, Pavlovich.

Total 2

HB 587 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: Montayne.

Total 1

Excused: None.

Total 0

Absent or not voting: Krueger.

Total 1

HB 588 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Koehnke, Nelson.

Total 2

Excused: None.

Total 0

Absent or not voting: Krueger.

Total 1

HB 595 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Spaeth, Switzer, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 85

Noes: Campbell, Glaser, Hanson, Hayne, Jones, Peterson, Ramirez, Sales, Smith, Swift, Thoft, Thomas, Waldron, Wallin.

Total 14

Excused: None.

Total 0

Absent or not voting: Krueger.

Total 1

HB 601 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Spaeth.

Total 1

HB 618 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Bardanouve, D. Brown, Cobb, Harp, Keyser, Marks, Nathe, Phillips, Zabrocki.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 620 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift,

Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: Jenkins.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 629 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Raney, Ream, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Campbell, Hannah, Harper, Phillips, Ramirez, Rapp-Svrcek, Rehberg.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 692 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Krueger, J.K. Moore, Sands, Schye, Thoft.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 695 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Bardanouve, Campbell, Cobb, Fritz, Keenan, Krueger, McCormick, Raney.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 725 failed to pass as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Cohen, Connelly, Darko, Donaldson, Ellerd, Ernst, Eudaily, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Kennerly, Lory, Manuel, Miles, Miller, Nathe, Nisbet, Peck, Poff, Raney, Rapp-Svrcek, Ream, Sales, Sands, Schye, Spaeth, Thoft, Waldron, Wallin, Williams, Mr. Speaker.

Total 47

Noes: Asay, Brandewie, D. Brown, Campbell, Cobb, Cody, Compton, Devlin, Driscoll, Ellison, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, McCormick, Marks, Menahan, Mercer, Montayne, J.K. Moore, J. Moore, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Ramirez, Rehberg, Schultz, Simon, Smith, Swift, Switzer, Thomas, Winslow, Zabrocki.

Total 53

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Kitselman in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 331 - That HB 331 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 89

Noes: Campbell, Ellerd, Hansen, Kadas, Koehnke, Sales.
Total 6

Excused: None.
Total 0

Absent or not voting: Bardanouve, Connelly, Keyser, Marks, Williams.
Total 5

HB 480 - That HB 480 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Bardanouve, Waldron.
Total 2

HB 619 - That HB 619 do pass. Motion failed as follows:

Ayes: Asay, Cobb, Cody, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Gould, Hand, Hannah, Jones, Lory, Manuel, J.K. Moore, O'Hara, Pistoria, Sales, Sands, Smith, Swift, Wallin.
Total 22

Noes: Abrams, Addy, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ernst, Fritz, Garcia, Grady, Hammond, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Schye, Simon,

Spaeth, Thoft, Thomas, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 72

Excused: None.

Total 0

Absent or not voting: Bardanouve, Connelly, Hanson, O'Connell, Peterson, Switzer.

Total 6

That HB 619 do not pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Grady, Hammond, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Schye, Simon, Smith, Spaeth, Thoft, Thomas, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 79

Noes: Asay, Ellerd, Ellison, Gilbert, Glaser, Gould, Hand, Hannah, Jones, J.K. Moore, O'Hara, Peterson, Pistoria, Sales, Sands, Swift, Wallin.

Total 17

Excused: None.

Total 0

Absent or not voting: Bardanouve, D. Brown, Hanson, Switzer.

Total 4

HB 816 - That HB 816 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: D. Brown, Hannah, Montayne.

Total 3

Excused: None.

Total 0

Absent or not voting: Bardanouve, Hanson, Peterson.

Total 3

Representative Harper moved that the committee recess until 1:00 p.m. Motion carried.

House recessed at 12:00 p.m.

House reconvened at 1:00 p.m.

Representative Harper moved that the committee recess until 1:30 p.m. to allow both parties to caucus. Motion carried.

House reconvened at 1:30 p.m.

Representatives D. Brown and Hannah excused at this time.

HB 656 - That HB 656 do pass. Motion failed. (49-51)

That HB 656 do not pass. Motion carried as follows:

Ayes: Asay, Bergene, Brandewie, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.
Total 51

Noes: Abrams, Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.
Total 49

Paired: Asay, Hannah, Ayes; D. Brown, Menahan, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Hannah present at this time.

HJR 30 - That HJR 30 do pass. Motion carried as follows:

Ayes: Abrams, Asay, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 88

Noes: Addy, Bachini, Darko, Hansen, Keenan, McCormick, Miles, J. Moore, Peck, Ream.
Total 10

Excused: D. Brown.

Total 1

Absent or not voting: Cohen.

Total 1

HB 341 - That HB 341 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Cody, McCormick, Ramirez.

Total 3

Excused: D. Brown.

Total 1

Absent or not voting: Quilici, Waldron.

Total 2

HB 360 - That HB 360 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Darko, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Keller, Kennerly, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sands, Schultz, Schye, Simon, Spaeth, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 74

Noes: Campbell, Compton, Devlin, Donaldson, Ellerd, Ellison, Hanson, Hayne, Iverson, Jenkins, Jones, Keyser, Kitselman, Marks, Nathe, O'Hara, Peterson, Ramirez, Rehberg, Sales, Smith, Swift, Switzer, Thoft, Thomas, Wallin.

Total 26

Paired: D. Brown, Aye; Ramirez, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 362 - That HB 362 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe,

Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: Gould.

Total 1

HB 380 - That HB 380 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: Williams.

Total 1

HB 414 - That HB 414 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Cody.

Total 1

Excused: D. Brown.

Total 1

Absent or not voting: O'Connell, Quilici, Thoft.

Total 3

HB 481 - That HB 481 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki.

Total 93

Noes: Ellison, Peck, Sands, Spaeth, Mr. Speaker.

Total 5

Excused: D. Brown.

Total 1

Absent or not voting: Devlin.

Total 1

HB 483 - That HB 483 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: None.

Total 0

HB 484 - That HB 484 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks,

Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: None.

Total 0

HB 496 - Representative Darko moved that HB 496 do pass. Representative Darko made a substitute motion that HB 496 be passed to the bottom of the board for the purpose of amendment. Motion carried.

HB 534 - That HB 534 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Cody, Fritz, Hansen, McCormick, Nisbet, Phillips.

Total 6

Excused: D. Brown.

Total 1

Absent or not voting: Nathe.

Total 1

HB 541 - Representative Darko moved that HB 541 be passed to the bottom of the board for the purpose of amendment. Motion carried.

HB 583 - That HB 583 do pass. Motion failed as follows:

Ayes: Compton, Devlin, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Gould, Hannah, Hanson, Hayne, Iverson, Jenkins, Jones, Keller, Lory, J.K. Moore, Nathe, O'Hara, Patterson, Peterson, Rehberg, Sales, Schultz, Simon, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 31

Noes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Connelly, Darko, Donaldson, Driscoll, Fritz, Garcia, Glaser, Grady, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Kadas,

Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Sands, Schye, Smith, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 68

Paired: Keller, Aye; D. Brown, No.

Excused: None.

Total 0

Absent or not voting: O'Connell.

Total 1

That HB 583 do not pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Fritz, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schye, Simon, Smith, Spaeth, Switzer, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 79

Noes: Ellerd, Ellison, Ernst, Eudaily, Gilbert, Hannah, Hanson, Hayne, Keller, Lory, J.K. Moore, Nathe, O'Hara, Peterson, Sales, Schultz, Swift, Thoft, Thomas, Wallin.

Total 20

Paired: D. Brown, Aye; Keller, No.

Excused: None.

Total 0

Absent or not voting: O'Connell.

Total 1

HB 594 - That HB 594 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: McCormick, Spaeth.

Total 2

Excused: D. Brown.

Total 1

Absent or not voting: Bardanouve, O'Connell.

Total 2

HB 608 - That HB 608 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: Pistoria.

Total 1

Excused: D. Brown.

Total 1

Absent or not voting: None.

Total 0

HB 613 - That HB 613 do pass. Motion failed as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Cody, Compton, Devlin, Ellerd, Ellison, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harbin, Hayne, Holliday, Jenkins, Jones, Keller, Keyser, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Smith, Swift, Switzer, Thoft, Thomas.

Total 38

Noes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Cohen, Connelly, Darko, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Hammond, Hand, Hansen, Harp, Harper, Harrington, Hart, Howe, Iverson, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schultz, Schye, Simon, Spaeth, Waldron, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 60

Excused: D. Brown.

Total 1

Absent or not voting: Winslow.

Total 1

That HB 613 do not pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Cohen, Connelly, Darko, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Grady, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Howe, Iverson, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schultz, Schye, Simon, Spaeth, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 64

Noes: Asay, Brandewie, Campbell, Cobb, Cody, Compton, Devlin, Ellerd, Ellison, Gilbert, Glaser, Gould, Hannah, Hanson, Hayne, Holliday, Jenkins, Jones, Keller, Keyser, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Phillips, Ramirez, Rehberg, Sales, Sands, Smith, Swift, Switzer, Thoft, Thomas.

Total 35

Excused: D. Brown.

Total 1

Absent or not voting: None.

Total 0

HB 622 - That HB 622 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: Connelly, Kadas.

Total 2

HB 635 - That HB 635 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: Connelly, Harrington, Kadas.

Total 3

HB 650 - Representative Harp moved that HB 650, second reading copy, be amended. Representative Krueger made a substitute motion that HB 650 be moved to the bottom of the third column of the board. Motion failed. (49-51)

Representative Harp's amendment failed. (50-50)

That HB 650 do pass. Motion failed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 49

Noes: Asay, Bergene, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 50

Paired: D. Brown, Aye; Hannah, No.

Excused: None.

Total 0

Absent or not voting: Spaeth.

Total 1

That HB 650 do not pass. Motion failed as follows:

Ayes: Asay, Bergene, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 49

Noes: Abrams, Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Gilbert, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 51

Paired: Hannah, Aye; D. Brown, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Harper moved that the committee reconsider its action on HB 650. Motion failed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 50

Noes: Asay, Bergene, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 50

Paired: D. Brown, Aye; Hannah, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Therefore, according to HR 1-5, HB 650 failed to pass second reading.

HB 654 - That HB 654 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: Devlin, Harrington, Kadas, Nathe, Pavlovich.

Total 5

HB 655 - That HB 655 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe,

Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: Pavlovich.

Total 1

HB 675 - Representative Harper moved that HB 675 be placed below HB 755. Motion carried.

HB 685 - That HB 685 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: Bardanouve, Keyser, O'Connell, Peterson.

Total 4

HB 687 - That HB 687 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: Bergene, O'Connell.

Total 2

HB 698 - That HB 698 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Campbell, Gould, Hand, Koehnke, Nathe.

Total 5

Excused: D. Brown.

Total 1

Absent or not voting: None.

Total 0

HB 721 - That HB 721 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: None.

Total 0

HB 727 - That HB 727 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Cobb, Cody, Cohen, Compton, Darko, Donaldson, Driscoll,

Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Sales, Sands, Schye, Simon, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 86

Noes: Asay, Campbell, Devlin, Hannah, Hayne, Keller, Keyser, Nathe, Rehberg, Schultz, Smith, Switzer.

Total 12

Excused: D. Brown.

Total 1

Absent or not voting: Connelly.

Total 1

HB 755 - Representative Harper moved that consideration of HB 755 be passed for the day. Motion carried.

HB 675 - That HB 675 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: None.

Total 0

HB 496 - Representative Darko moved that HB 496, second reading copy, be amended as follows:

1. Page 4.

Following: line 25

Insert: "(4) If a proposed county park district includes one or more municipalities or parts of municipalities, separate majorities on the question of forming the district are required of those voting who reside within each municipality and of those not residing within a municipality."

2. Page 10.

Following: line 3

Insert: "(5) If a county park district includes one or more municipalities or parts of municipalities, separate majorities of those voting on the question of changing the property tax mill levy are required of those voting who reside within each municipality and of those not residing within a municipality."

Renumber: subsequent subsection

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: Nathe.

Total 1

That HB 496, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Cobb, Cody, Cohen, Connelly, Darko, Driscoll, Ellerd, Ellison, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Spaeth, Switzer, Waldron, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 69

Noes: Asay, Campbell, Compton, Devlin, Donaldson, Ernst, Glaser, Hannah, Hanson, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Marks, Mercer, J.K. Moore, Nathe, O'Hara, Patterson, Phillips, Schultz, Simon, Smith, Swift, Thoft, Thomas, Winslow.

Total 29

Excused: D. Brown.

Total 1

Absent or not voting: Hansen.

Total 1

HB 541 - Representative Darko moved that HB 541, second reading copy, be amended as follows:

1. Page 1, line 13.

Following: " , "

Strike: "unreasonably" through "losses" on line 18

Insert: “so multiplies the proceedings in any case unreasonably and vexatiously may be required by the court to satisfy personally the excess costs, expenses, and attorneys’ fees reasonably incurred because of such conduct”

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O’Connell, O’Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: None.

Total 0

That HB 541, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O’Connell, O’Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Campbell, Sales.

Total 2

Excused: D. Brown.

Total 1

Absent or not voting: Brandewie.

Total 1

HB 769 - That HB 769 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe,

Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 98

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: Williams.

Total 1

HB 784 - Representative Holliday moved that HB 784, second reading copy, be amended as follows:

1. Page 5, line 14.

Following: "of"

Strike: "82-4-228"

Insert: "82-4-227"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: None.

Total 0

That HB 784, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria,

Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: D. Brown.
Total 1

Absent or not voting: Hansen.
Total 1

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Kitselman moved the adoption of the committee report. Report adopted. (93-5)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/18/85
Correctly printed: HB 54, HB 366, HB 544, HB 558, HB 564, HB 632, HB 702, HB 705, HB 713, HB 745, HB 746.
Considered correctly engrossed: HB 331, HB 480, HB 816.
Correctly enrolled: HB 27, HB 30.
Examined by the sponsor (Williams) and found to be correct: HB 27, HB 30.
Examined by the sponsor (Ellison) and found to be correct: HB 81.
Examined by the sponsor (Schultz) and found to be correct: HB 350.

BUSINESS AND LABOR (Pavlovich, Chairman): 2/18/85
HB 338, introduced bill, be amended as follows:

1. Title, line 6.
Following: "AGENTS"
Strike: remainder of line 6 through "THEREFOR," on line 8
2. Page 17, line 4 through page 20, line 8.
Strike: sections 16 through 19 in their entirety
Renumber: subsequent sections
Renumber: internal references
3. Page 26, line 15.
Following: "through"
Strike: "19"
Insert: "15"
4. Page 26, line 17.
Following: "through"
Strike: "19"
Insert: "15"

And, as amended, do pass. Report adopted.

HB 354, do pass. Report adopted.

Adverse Committee Reports
HB 568, do not pass.
HB 691, do not pass.

HUMAN SERVICES AND AGING (Keenan, Chairman): 2/15/85
HB 301, introduced bill, be amended as follows:

1. Title, line 7.

Following: "REQUIREMENTS;"

Insert: "PROVIDING FOR ASSESSMENT OF FEES FOR
LICENSING DAY-CARE AND PRESCHOOL PROGRAMS;"

2. Title, line 8.

Following: line 7

Strike: "53-4-506, 53-4-508 THROUGH"

Following: "53-4-511"

Strike: ","

3. Page 2, line 22.

Following: "business"

Insert: "primarily"

4. Page 2, lines 23 through 25.

Following: "private," on line 23

Strike: "that provides"

Insert: "to provide"

Following: "instruction" on line 24

Strike: "or supplemental parental care"

5. Page 3, line 8.

Following: "established"

Insert: "by a religious congregation"

6. Page 3, lines 9 and 10.

Following: "education"

Strike: remainder of line 9 through "congregation" on line 10

7. Page 5, lines 22 through 24.

Following: "license" on line 22

Strike: "or registration certificate"

Following: "fee" on line 23

Strike: "must be commensurate with"

Insert: "may not exceed \$25 or"

Following: "licensing" on line 24

Strike: "and registration"

Following: "section" on line 24

Insert: ", whichever is less"

8. Page 9.

Following: line 2

Insert: "Section 7. Section 53-4-507, MCA, is amended to read:

"53-4-507. Application for a license or registration certificate. (1) Application for a license or registration certificate shall be made to the department through the local department of public welfare in the county in which the applicant lives on forms prescribed by the department.

(2) Applications for a license or registration certificate by Indians residing on Indian reservations shall be made through the tribal governing body on forms prescribed by the department. Applications made through a tribal governing body shall be accompanied by a request by the tribal governing body that the department investigate to determine whether a license or registration certificate should be granted.

(3) Within 30 days of receipt of the application, the department, through the local county department of public welfare, shall ~~investigate to determine~~ whether a license or registration certificate should be issued."

Renumber: subsequent sections

9. Page 9, lines 4 through 8.

Following: "~~The~~"

Strike: remainder of line 4 through "show" on line 8

Insert: "The department shall include in the standards for day-care centers and preschool programs a requirement"

10. Page 10, lines 9 through 12.

Following: "~~Specify~~" on line 9

Insert: "the applicant specify"

Following: "~~program~~" on line 11

Strike: remainder of line 11 through "department" on line 12

11. Page 11, line 25.

Following: "part."

Insert: "For this purpose, the department may utilize the personnel of the county departments of public welfare to conduct inspections that it considers necessary to ensure that the minimum standards are satisfied."

12. Page 12.

Following: line 12

Insert: "(6) Nothing in this section may be construed to require the department to conduct an inspection of each day-care or preschool program for which a license is applied for under the provisions of this part."

13. Page 13.

Following: line 18

Insert: "NEW SECTION. Section 13. Deposit of licensing fees. There is created an account in the state special revenue fund established in 17-2-102. All money received from day-care and preschool program licensing fees must be deposited in the account for use of the department in administering this part.

NEW SECTION. Section 14. Codification instruction. Section 13 is intended to be codified as an integral part of Title 53, chapter 4, part 5."

Renumber: subsequent section

And, as amended, referred to the committee of the whole without recommendation. Report adopted.

HB 435, introduced bill, be amended as follows:

2/13/85

1. Page 2, line 11.

Following: "board"

Strike: ", secretary-treasurer,"

2. Page 3, line 23.

Strike: "11"

Insert: "10"

3. Page 7, line 22 through line 1, page 8.

Following: line 21

Strike: section 8 in its entirety

Renumber: subsequent sections

4. Page 8, line 20.

Following: "the"

Strike: "secretary-treasurer"

Insert: "department"

5. Page 9, line 7.

Following: "nondiscriminatory."

Insert: "The board shall by rule set fees for issuing duplicate licenses, copying documents, and other matters the board considers necessary."

6. Page 9, line 24.

Strike: "16"

Insert: "15"

7. Page 10, line 13.

Strike: "12"

Insert: "11"

8. Page 10, line 23.

Strike: "15"

Insert: "14"

9. Page 11, line 1.

Strike: "11" and "16"

Insert: "10" and "15"

10. Page 11, line 5.

Strike: "secretary-treasurer of the board"

Insert: "department"

11. Page 12, line 25.

Strike: "11"

Insert: "10"

12. Page 13, line 2.

Strike: "9"

Insert: "8"

13. Page 13, line 14.

Following: "The"

Strike: "secretary-treasurer of the board"

Insert: "department"

14. Page 14, line 16.

Strike: "11"

Insert: "10"

15. Page 15, line 21.

Following: "expire, the"

Strike: "secretary-treasurer of the board"

Insert: "department"

16. Page 16, line 5.

Following: line 4

Strike: "secretary-treasurer"

Insert: "department"

17. Page 16, lines 11 and 12.

Following: "by the" on line 11

Strike: remainder of line 11 through "board" on line 12

Insert: "department"

18. Page 16, line 13.

Following: "The"

Strike: "secretary-treasurer of the board"

Insert: "department"

19. Page 16, line 16.

Following: line 15

Strike: "secretary-treasurer of the board"

Insert: "department"

20. Page 17, line 12.

Following: "The"

Strike: "board"

Insert: "department"

21. Page 19, line 4.

Following: line 3

Strike: "secretary-treasurer of the board"

Insert: "department"

22. Page 19, line 7.

Strike: "17"

Insert: "16"

23. Page 19, line 12.

Following: "The"

Strike: "secretary-treasurer"

Insert: "department"

24. Page 19, line 16.

Following: line 15

Strike: "secretary-treasurer of the board"

Insert: "department"

25. Page 20, line 5.

Strike: "17"

Insert: "16"

26. Page 20, line 8.

Strike: "17"

Insert: "16"

27. Page 20, line 18.

Following: "The"

Strike: "secretary-treasurer of the board"

Insert: "department"

28. Page 21, line 12.

Strike: "18" and "19"

Insert: "17" and "18"

Renumber: internal references

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 435

A statement of intent is required for this bill because it delegates rule-making authority to the board of naturopathic doctors. It is the intent of the legislature that the board be guided by the provisions of Title 37, chapter 1, in adopting licensing fees and disciplinary rules. The board should use the standards of the American council on naturopathic medical education in approving college programs. The board should take into account the availability of programs and the need for public protection in establishing standards for continuing education.

HB 720, introduced bill, be amended as follows:

2/15/85

1. Page 7, line 14.
Following: "facility"
Insert: "willfully"

And, as amended, do pass. Report adopted.

HB 730, introduced bill, be amended as follows:

1. Page 2, line 13.
Following: "councils"
Insert: "or other public or nonprofit entities"
2. Page 2, line 15.
Strike: "the district"
Insert: "its geographic area"
3. Page 2, line 20.
Following: "councils"
Insert: "or other public or nonprofit entities"
4. Page 2, line 25.
Following: "councils"
Insert: "or other public or nonprofit entities"

And, as amended, do pass. Report adopted.

JUDICIARY (Hannah, Chairman):

2/18/85

HB 210, introduced bill, be amended as follows:

1. Title, line 6.
Following: "ALCOHOL"
Strike: "; ESTABLISHING" through "61-8-722, MCA" on line 10
2. Page 1, line 15.
Strike: "because"
Insert: "and"
3. Page 1, line 20.
Following: "shall be"
Insert: "fined an amount not to exceed \$1,000 or"
Following: "the"
Strike: "state prison"
Insert: "county jail"
4. Page 1, line 21.
Strike: "3 years" through "\$20,000" on line 22
Insert: "1 year"
5. Page 1.
Following: line 22
Strike: sections 2 through 5 in their entirety
Renumber: subsequent section
6. Page 7, line 25.
Strike: "(1)"
7. Page 8.
Following: line 2
Strike: subsection (2) in its entirety

And, as amended, do pass. Report adopted.

HB 700, introduced bill, be amended as follows:

1. Page 1, line 20.

Following: "agreement"
 Insert: "is an agreement"

2. Page 1, line 21.

Following: "prosecutor"
 Strike: "is an agreement"

3. Page 2, line 17.

Following: "minutes."
 Strike: "A" through "dismissal." on line 18

And, as amended, do pass. Report adopted.

HB 706, do pass. Report adopted.

HB 710, introduced bill, be amended as follows:

1. Page 1, lines 16 and 17.

Strike: "pursuant to 61-5-206"

And, as amended, do pass. Report adopted.

HB 831, do pass. Report adopted.

Adverse Committee Reports

HB 366 - Representatives Ramirez, Mercer, O'Connell, Pistoria, C. Smith, Jenkins, Eudaily, Keyser, Hannah, O'Hara, Gould, Grady, Marks, Swift, Thomas, Kitselman, Ellison, Garcia, Peterson, and Jones objected to the adverse committee report on HB 366, and requested that the bill be printed and placed on second reading. 2/18/85

HB 431 - Representatives Nathe, Patterson, Campbell, Bergene, Mercer, Cobb, O'Hara, Krueger, Keyser, Eudaily, Thomas, Ernst, Miller, Sales, Montayne, Rapp-Svrcek, Thoft, Grady, Brandewie, and Harp objected to the adverse committee report on HB 431, and requested that the bill be printed and placed on second reading. 2/18/85

HB 448, do not pass.

HB 456, do not pass.

HB 473, introduced bill, be amended as follows:

1. Page 4, line 1.

Strike: "postsecondary vocational-technical center or program,"

2. Page 4, line 4.

Following: "city,"

Insert: "or"

Following: "town"

Strike: ", or school district"

3. Page 4, line 5.

Following: "include"

Insert: "a school district, a postsecondary vocational-technical center or program, or"

And, as amended, do not pass.

LOCAL GOVERNMENT (Darko, Chairman):

2/18/85

HB 160, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "THE SAME"

Insert: "A SIMILAR"

2. Title, lines 7 and 8.

Strike: "SECTIONS 61-3-101, 61-3-201, AND 61-3-317"

Insert: "SECTION 15-24-207"

3. Pages 1 through 14.

Strike: everything following the enacting clause

Insert: "NEW SECTION. Section 1. Records of mobile homes — duties of division of motor vehicles. (1) The department of justice, division of motor vehicles, shall keep a record as hereinafter specified of all mobile homes and of certificates of registration and ownership thereof.

(2) The record shall show the following:

(a) name of owner, residence by town and county, and business address;

(b) name and address of conditional sales vendor, mortgagee, or other lienholder and amount due under contract or lien;

(c) manufacturer of the mobile home;

(d) identifying number;

(e) year of manufacture; and

(f) such other information as may from time to time be found desirable.

(3) The division shall file applications for registration received by it from the county treasurers of the state and register the mobile homes therein described and the owners thereof as the division considers suitable.

(4) All records shall be open to inspection during all reasonable business hours, and the division shall furnish any information from the records upon payment by the applicant of the cost of transcribing the information requested.

(5) Within 30 days following the end of each calendar quarter, the division shall send to each county assessor and to the department of revenue a list of the certificates of ownership for mobile homes issued during the preceding calendar quarter to owners within each assessor's respective county. The list must contain the name and address of the owner or the names and addresses of joint owners and a description of the mobile home, including the year built, the title number, and the serial number.

NEW SECTION. Section 2. Transfer of interest of mobile home.

(1) Upon a transfer of any interest in a mobile home registered under the provisions of [sections 1 through 5], the person whose interest is to be transferred shall write his signature with pen and ink upon the certificate of ownership issued for such mobile home in the appropriate space provided upon the reverse side of the certificate, and his signature must be acknowledged before a notary public.

(2) Within 20 calendar days thereafter, the transferee shall forward both the endorsed certificate of ownership and the certificate of registration, together with the information required under [section 3], to the county treasurer, who shall forward them to the division. No certificate of ownership or certificate of registration may be issued by the division until the outstanding certificates are surrendered to that office or their loss is established to its reasonable satisfaction. Failure to make application within the 20-day grace period

subjects the transferee to a penalty of \$10. The penalty is to be collected by the county treasurer at the time of registration and is in addition to the fees otherwise provided by law.

(3) In the event of a transfer by operation of law of any interest in a mobile home, as upon inheritance, devise, or bequest, order in bankruptcy or insolvency, execution sale, repossession upon default in the performance of the terms of a lease or executory sales contract, or otherwise than by voluntary act of the person whose title or interest is transferred, the executor, administrator, receiver, trustee, sheriff, or other representative or successor in interest of the person whose interest is transferred shall forward to the division an application for a certificate of ownership in the form required for an original application for a certificate of ownership, together with a verified or certified statement of the transfer of such interest. The statement shall set forth the reason for the involuntary transfer, the interest so transferred, the name of the person to whom the interest is to be transferred, the process of procedure effecting such transfer, and other information requested by the division. Evidence and instruments otherwise required by law to effect a transfer of legal or equitable title to or an interest in chattels as may be required in such cases shall be furnished with the statement. If the division is satisfied that the transfer is regular and that all formalities required by law have been complied with, it shall send to the owner, conditional sales vendor, lessor, mortgagee, and other lienor, as shown by its records, notice of the intended transfer and thereafter, but not less than 5 days thereafter, shall issue a new certificate of ownership and certificate of registration to the person entitled thereto. The notice herein required is complied with by deposit in the post office in Deer Lodge, Montana, with postage prepaid and addressed to the person at the respective address shown on the division's records.

(4) When the mobile home certificate of ownership that is involuntarily transferred is not registered in this state, the procedure set forth above must be followed in applying for a new certificate of ownership and certificate of registration but the division need not send notice of intended transfer and shall issue a new certificate of ownership and a new certificate of registration to the person entitled thereto.

(5) (a) In the event of the death of the owner of one or more mobile homes registered hereunder and not exceeding a combined value of \$15,000 without leaving other property necessitating the procuring of letters of administration or letters testamentary, then the surviving spouse or other heir, unless such property is by will otherwise bequeathed, may secure transfer of the decedent's certificate of ownership and the certificate of registration for the mobile home.

(b) The person seeking transfer of the certificate of ownership shall file an affidavit with the division setting forth the fact of survivorship and the name and address of any other heirs and such other facts as are hereby made necessary to entitle the affiant to a transfer.

(c) The division is authorized to transfer the certificate of ownership and certificate of registration, subject to all security interests shown by its records, upon receipt of an affidavit showing that the affiant is entitled to a transfer under the provisions of subsection (5)(a) of this section.

(6) Nothing in subsection (5) shall prevent any secured party from assigning his interest in a mobile home registered under the provisions of [sections 1 through 5] to any other person without the consent of and without affecting the interest of the holder of the certificate of ownership and certificate of registration. Upon any assignment by a secured party of his security interest in any mobile home registered under [sections 1 through 5], a copy of such assignment must be filed with the division and record thereof made upon its records.

(7) The certificates of ownership shall remain valid until canceled by the division upon a transfer of any interest shown therein and need not be renewed annually.

NEW SECTION. Section 3. Certificate of ownership — issuance — contents — joint ownership. (1) Upon completion of the application for certificate of ownership on forms furnished by the division, the county treasurer shall forward one copy of the application to the division, which shall enter the information contained in the application upon the corresponding records of its office and shall furnish the applicant a certificate of ownership.

(2) The certificate of ownership shall contain upon the face thereof:

(a) the date issued;

(b) the name and complete address of the owner or the names and addresses of joint owners;

(c) the name and complete address of any holder of a perfected security interest in the registered mobile home;

(d) a description of the registered mobile home, including the year built and serial number;

(e) the filing date of any lien against such mobile home; and

(f) such other statement of facts as may be determined by the division.

(3) When the names and addresses of more than one owner who are members of the same immediate family are listed on the certificate of ownership, joint ownership with right of survivorship, and not as tenants in common, is presumed.

(4) Upon receipt of the application, the division shall recheck the application. If there is any error in the application, it may be returned to the county treasurer to effectively secure the correction of such error, who shall return the same to the division.

(5) The certificate of ownership shall contain a notice to the division of a transfer of interest of the owner and such other statements as may be determined by the division.

NEW SECTION. Section 4. Registrant as prima facie owner of mobile home. For the purpose of [sections 1 through 5], the person appearing on the public records as the registrant of any mobile home shall prima facie be deemed the owner thereof.

NEW SECTION. Section 5. Notice of intention to transfer title to mobile home. When a mobile home is sold under contract or under conditions so that title is not immediately conveyed, the parties to the transaction shall file immediately with the county clerk and

recorder a notice of intention to transfer title. The notice must indicate the name of the party who is thereafter responsible for payment of taxes upon the mobile home. The clerk and recorder shall immediately notify the county assessor of the information in the notice.

Section 6. Section 15-24-207, MCA, is amended to read:

"15-24-207. ~~Department to make rules~~ Rulemaking authority. (1) The department of revenue may make reasonable rules necessary for or as an aid to effectuation of the purposes of ~~this part~~ sections 15-24-201 through 15-24-208.

(2) The department of justice, division of motor vehicles, may make reasonable rules necessary for the administration of [sections 1 through 5]."

NEW SECTION. Section 7. Codification instruction. The provisions of this act are intended to be codified as an integral part of Title 15, chapter 24, part 2, and the provisions of Title 15, chapter 24, part 2, apply to this act."

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 160

A statement of intent is required because the division of motor vehicles is given rulemaking authority relating to the registration and keeping of records of mobile homes in section 6 of the bill.

It is contemplated that the rules will govern the basic procedures and forms necessary to carry out such registration procedures. The rules should be formulated keeping in mind that the purpose of the bill is primarily to provide a way to ascertain mobile home ownership for the purposes of taxation.

HB 239, introduced bill, be amended as follows:

1. Title, line 6.
Strike: "ANY SERVICE"
Insert: "CERTAIN SERVICES"
2. Page 1, line 23.
Strike: "include but"
Following: "are"
Strike: "not limited to"
3. Page 1, line 25.
Following: ","
Strike: "and"
4. Page 2, line 1.
Following: "libraries"
Insert: "and
(d) jails"
5. Page 2, line 11.
Following: "Financing."
Insert: "(1)"
6. Page 2.
Following: line 16

Insert: "(2) A property tax levied for the purpose of financing the district must, for all agricultural property having an area greater than 10 acres, be levied only on the principal residential dwelling, if any, on such property."

7. Page 3, line 1.

Strike: "electors"

Insert: "property owners"

8. Page 3, line 2.

Following: "in"

Strike: "the"

Insert: "each"

9. Page 3.

Following: line 2

Insert: "(3) Prior to determining the boundary of the district, the governing body or persons preparing a petition shall consult with the county election administrator to prepare a description of the boundary of the proposed district. As far as practical, the boundary shall follow precinct, school district, municipal, and county lines. The boundary description must be mapped and clearly described."

10. Page 3, line 19.

Following: "of"

Strike: "the"

Insert: "each"

11. Page 4, line 4.

Strike: "The"

Insert: "Each"

12. Page 4, line 7.

Strike: "electors"

Insert: "property owners"

Following: the first "of"

Strike: "the"

Insert: "each"

Strike: "in the"

13. Page 4, line 8.

Strike: "jurisdiction"

Strike: "file"

Insert: "submit"

Strike: "with"

Insert: "to"

14. Page 4, line 9.

Strike: "electors"

Insert: "property owners in any one of the jurisdictions proposed for inclusion in the district"

15. Page 4, line 10.

Following: "ordinance"

Insert: "of that jurisdiction"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 504, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 90

Noes: Addy, Connelly, Darko, Fritz, Hammond, Kadas, Lory, Sales, Spaeth.

Total 9

Excused: D. Brown.

Total 1

Absent or not voting: None.

Total 0

HB 642 - Representatives Hansen, Kadas, Fritz, D. Brown, Darko, Spaeth, Waldron, Schye, Zabrocki, J. Hammond, J. Brown, Hand, Bradley, Pavlovich, Manuel, M. Williams, Harrington, Harper, Connelly, and Nisbet objected to the adverse committee report on HB 642, and requested that the bill be printed and placed on second reading. 2/18/85

STATE ADMINISTRATION (Sales, Chairman):

2/18/85

HB 632, do pass. Report adopted.

HB 702, do pass. Report adopted.

HB 705, do pass. Report adopted.

HB 713, do pass. Report adopted.

Adverse Committee Report

HB 709, do not pass.

TAXATION (Devlin, Chairman):

2/18/85

HB 54, do pass. Report adopted.

HB 544, do pass. Report adopted.

HB 745, do pass. Report adopted.

Adverse Committee Report

HB 752, do not pass.

MOTIONS

Representative Waldron moved that HB 538 be taken from adverse committee report status and referred to the Committee on Education and Cultural Resources. Motion carried. (59-38)

Representative Harper moved that the Speaker be authorized to appoint a conference committee of four to meet with a committee from the Senate to confer on House amendments to SJR 9. Motion carried.

Representative Kadas moved that his vote on reconsideration of HB 650, second reading this day, be changed from no to yes. Motion carried.

Representative Bradley moved that the House reconsider its action in failing to pass HB 725, third reading this day, and that the bill be placed back on third reading. Motion failed. (49-50)

Representative Keyser moved that the House reconsider its action in failing to pass HB 631, second reading on the 36th legislative day. Motion carried. (70-31)

Representative Ellerd moved that his vote on the do pass motion on HB 583, second reading this day, be recorded as yes. Motion carried.

Representative Kitselman moved that Thomas, Gould, Bergene, and Gilbert be added as sponsors to HB 817. Motion carried.

Representative Ramirez moved that HB 366 be taken from printing and referred to the Committee on Judiciary. Motion carried.

UNFINISHED BUSINESS

Speaker Vincent announced that he had appointed Representatives Schultz and Holliday, Chairman and Vice-chairman of the House Agriculture Committee respectively, to represent Montana at the State of American Farm Conference in Washington, D.C. on February 24, 1985. The conference is sponsored by the National Conference of State Legislatures. Mr. Speaker expressed his confidence that Representatives Schultz and Holliday would represent Montana well.

The Speaker appointed the following conference committee to meet with a committee from the Senate to confer on House amendments to SJR 9:

Representative Marks, Chairman
Representative Menahan
Representative Miller
Representative Bradley

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 10:00 a.m., February 19, 1985.

Motion carried.

House adjourned at 5:37 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

THIRTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
February 19, 1985

House Chambers
State Capitol

House convened at 10:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Abrams, Donaldson, Hand, Hanson, Lory, O'Connell, Peck, Quilici, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the thirty-seventh legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/18/85

Correctly printed: HB 18, HB 210, HB 239, HB 301, HB 338, HB 354, HB 431, HB 569, HB 642, HB 653, HB 700, HB 706, HB 710, HB 720, HB 730, HB 736, HB 831, HJR 28.

Considered correctly engrossed: HB 341, HB 360, HB 362, HB 380, HB 414, HB 481, HB 483, HB 484, HB 534, HJR 30.

2/19/85

Correctly printed: HB 160, HB 435.

Considered correctly engrossed: HB 594, HB 608, HB 622, HB 635, HB 654, HB 655, HB 675, HB 685, HB 687, HB 698, HB 721, HB 727, HB 769.

Correctly engrossed: HB 496, HB 541, HB 784.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Menahan, Chairman): 2/18/85

Recommend that the following employees be hired by the 49th Legislature:

Sandra Yellow Owl.....Page for 2/11 - 2/16
Jenny Murphy.....Temporary Page, Chief Clerk's Office, 2/18 - 2/23
Miriam Adams.....Page to the Republican Leader, effective 2/16

Recommend that the following employee be terminated by the 49th Legislature:

Angie Petrosky.....Page to the Republican Leader through 2/16

JUDICIARY (Hannah, Chairman): 2/19/85

Adverse Committee Report

HB 528, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Poff, Ramirez, Raney, Rapp-Svrcek, Ream,

Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 80

Noes: Glaser, Spaeth, Switzer.

Total 3

Excused: Abrams, Donaldson, Hand, Hanson, Lory, O'Connell, Peck, Quilici.

Total 8

Absent or not voting: Bergene, Connelly, Hannah, Hansen, Harbin, Kennerly, Miller, Nathe, Pistoria.

Total 9

MESSAGES FROM THE OTHER HOUSE

Senate bills passed and transmitted to the House for concurrence: 2/18/85

SB 187, introduced by Towe

SB 188, introduced by Towe

SB 242, introduced by Smith, et al.

SB 249, introduced by Boylan, et al.

SB 251, introduced by Towe

SB 254, introduced by Eck, et al.

SB 257, introduced by Daniels

SB 267, introduced by Halligan

SB 290, introduced by Daniels

SB 298, introduced by Yellowtail

SB 311, introduced by Halligan

SB 337, introduced by Blaylock

SB 341, introduced by Haffey, et al.

SB 343, introduced by Halligan

HB 106, introduced by Connelly, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, was not concurred in by the Senate and returned to the House with the following vote:

YEAS - 6

NAYS - 42

Governor's amendments to House bill concurred in and returned to the House: 2/18/85

HB 107, introduced by Miller

House bills concurred in and returned to the House: 2/18/85

HB 13, introduced by Kennerly

HB 22, introduced by Quilici

HB 194, introduced by Koehnke, et al.

HB 316, introduced by Krueger

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 2/18/85

HB 52, introduced by Manuel

HB 103, introduced by D. Brown

HB 144, introduced by Marks, et al.

MOTIONS

Representative Harper moved that HB 18 be placed below HB 653, second reading this day. Motion carried.

Representative Harper moved that HB 71 be placed below HB 18, second reading this day. Motion carried.

Representative Thoft moved that Harper and Cobb be added as sponsors to HB 716. Motion carried.

Representative Bergene moved that consideration of HB 384 be passed until the 40th legislative day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 877, introduced by Pavlovich, (By Request of the House Committee on Business and Labor). Referred to Committee on Business and Labor.

HB 878, introduced by Menahan, Keenan. Referred to Committee on State Administration.

HB 879, introduced by Eudaily. Referred to Committee on Education and Cultural Resources.

HB 880, introduced by Pavlovich, (By Request of the House Committee on Business and Labor). Referred to Committee on Business and Labor.

HB 881, introduced by Bradley, Keenan. Referred to Committee on Human Services and Aging.

HB 882, introduced by Sales, Ellerd, Switzer, Devlin, Compton, C. Smith, Gilbert, Wallin, Swift. Referred to Committee on Taxation.

HB 883, introduced by Kadas. Referred to Committee on Local Government.

HB 884, introduced by Driscoll, (By Request of the House Taxation Committee). Referred to Committee on Taxation.

HB 885, introduced by Sales, (By Request of the Lieutenant Governor). Referred to Committee on State Administration.

HB 886, introduced by Holliday, Eck, Iverson, Nathe, Galt, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Appropriations.

HB 887, introduced by Sands. Referred to Committee on Highways and Transportation.

HB 888, introduced by Winslow, Neuman, J. Hammond, Schultz. Referred to Committee on Appropriations.

HB 889, introduced by M. Williams, Addy, Cobb, Darko, Ramirez, Mercer. Referred to Committee on Judiciary.

HB 890, introduced by Menahan, Pavlovich, Harp, Pistoria, McCormick, Schye. Referred to Committee on Business and Labor.

HJR 32, introduced by Switzer, Schultz, Ernst, Devlin, Schye, Cody, Asay, Tveit, E. Smith, Lane, Severson, Weeding, B. Williams, H. Hammond. Referred to Committee on Agriculture.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Schye in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representatives Lory, O'Connell, and Quilici present at this time.

HB 646 - Representative Rapp-Svrcek moved that HB 646, second reading copy, be amended as follows:

1. Page 16, line 20.

Following: "relief."

Insert: "(1)"

2. Page 17.

Following: line 4

Insert: "(2) The prohibition provided in [section 5] does not apply to any wholesale or retail distributor who in good faith makes the same representations on a package or label or in advertising or promotion as have been made by the manufacturer, distributor, or other person providing the food to that wholesale or retail distributor."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Abrams, Donaldson, Hand, Hanson, Peck.

Total 5

Absent or not voting: Fritz, Koehnke, Pavlovich.

Total 3

That HB 646, as amended, do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Driscoll, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peterson, Phillips, Pistoria, Poff, Quilici,

Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 85

Noes: Devlin, Ellerd, Ellison, Ernst, Hannah, Hanson, Keyser, Sales, Schultz.

Total 9

Paired: Quilici, Aye; Hanson, No.

Excused: Abrams, Donaldson, Hand, Peck.

Total 4

Absent or not voting: Koehnke, Pavlovich.

Total 2

HB 755 - That HB 755 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Abrams, Donaldson, Hand, Hanson, Peck.

Total 5

Absent or not voting: Connelly.

Total 1

HB 792 - That HB 792 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Driscoll, Ernst, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, McCormick, Marks, Menahan, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 78

Noes: Devlin, Ellerd, Eudaily, Glaser, Hanson, Hayne, Keyser, Lory, Manuel, Mercer, J.K. Moore, O'Hara, Sales, Sands, Swift, Thoft.

Total 16

Paired: Quilici, Aye; Hanson, No.

Excused: Abrams, Donaldson, Hand, Peck.

Total 4

Absent or not voting: Ellison, Hannah.

Total 2

HB 818 - That HB 818 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hansen, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: Ellison, Harper, Waldron.

Total 3

Excused: Abrams, Donaldson, Hand, Hanson, Peck.

Total 5

Absent or not voting: Poff.

Total 1

HJR 1 - That HJR 1 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Abrams, Donaldson, Hand, Hanson, Peck.

Total 5

Absent or not voting: None.

Total 0

HJR 25 - That HJR 25 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Harp, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore,

Nathe, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 80

Noes: Bardanouve, Cohen, Hansen, Harbin, Harper, Hart, Howe, Kadas, Keenan, Kennerly, Menahan, Nisbet, Raney.

Total 13

Excused: Abrams, Donaldson, Hand, Hanson, Peck.

Total 5

Absent or not voting: Driscoll, Sales.

Total 2

HR 2 - That HR 2 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Abrams, Donaldson, Hand, Hanson, Peck.

Total 5

Absent or not voting: Driscoll, Quilici.

Total 2

HB 54 - That HB 54 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 86

Noes: Bardanouve, Cohen, Connelly, Sands, Williams.

Total 5

Excused: Abrams, Donaldson, Hand, Hanson, Peck.

Total 5

Absent or not voting: Asay, Kadas, Keyser, Quilici.

Total 4

HB 164 - That HB 164 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Cobb, Cody, Cohen, Connelly, Darko, Driscoll, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hammond, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Kadas, Keenan, Kennerly, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Miller, Montayne, J. Moore, Nisbet, O'Connell, O'Hara, Pavlovich, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sands, Schye, Spaeth, Waldron, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 63

Noes: Asay, D. Brown, Campbell, Compton, Devlin, Ellerd, Ellison, Gilbert, Hanson, Jenkins, Jones, Keller, Keyser, Kitselman, Marks, Mercer, J.K. Moore, Nathe, Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas.

Total 32

Paired: Quilici, Aye; Hanson, No.

Excused: Abrams, Donaldson, Hand, Peck.

Total 4

Absent or not voting: Winslow.

Total 1

HB 210 - Representative Connelly moved that HB 210 be placed below HB 354. Motion carried.

Representative Ream excused at this time.

HB 239 - Representative Wallin moved that HB 239 do pass. Representative Harper made a substitute motion that HB 239, second reading copy, be amended as follows:

1. Page 2, line 4.

Following: "libraries"

Strike: "AND"

2. Page 2, line 5.

Following: "JAILS"

Strike: "."

Insert: "; and"

3. Page 2.

Following: line 5

Insert: "(e) weed control programs."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Grady, Hammond, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 86

Noes: Campbell, Gilbert, Glaser, Gould, Hannah, Marks, Smith.
Total 7

Excused: Abrams, Donaldson, Hand, Hanson, Peck, Ream.
Total 6

Absent or not voting: Devlin.
Total 1

That HB 239, as amended, do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Glaser, Grady, Hammond, Hansen, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rapp-Svrcek, Sales, Sands, Schultz, Schye, Simon, Spaeth, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 77

Noes: Asay, Campbell, Gilbert, Gould, Hannah, Jones, Keyser, Marks, Montayne, J. Moore, Pistoria, Poff, Ramirez, Rehberg, Smith, Swift.
Total 16

Excused: Abrams, Donaldson, Hand, Hanson, Peck, Ream.
Total 6

Absent or not voting: Harrington.
Total 1

HB 338 - Representative Addy moved that HB 338 be placed below HB 632 for the purpose of amendment. Motion carried.

Representative Keenan in the Chair.

Representative Ream present at this time.

Representative Schye in the Chair.

HB 354 - That HB 354 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peterson, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 82

Noes: Connelly, Hansen, Kadas, Marks, J.K. Moore, O'Connell, Phillips, Schultz.
Total 8

Excused: Abrams, Donaldson, Hand, Hanson, Peck.
Total 5

Absent or not voting: Bardanouve, Ellison, Harrington, O'Hara, Pistoria.
Total 5

Representative Miles excused at this time.

HB 210 - Representative Connelly moved that HB 210, second reading copy, be amended as follows:

1. Title, line 7.

Following: "ALCOHOL"

Insert: "OR OTHER DRUGS"

2. Page 1, line 17.

Following: "alcohol"

Insert: "or drugs, as provided for in 61-8-401(1),"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Abrams, Donaldson, Hand, Hanson, Miles, Peck.

Total 6

Absent or not voting: Bardanouve, McCormick, Pistoria.

Total 3

That HB 210, as amended, do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bergene, Bradley, Brandewie, J. Brown, Cobb, Cody, Cohen, Connelly, Darko, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Hammond, Hannah, Hansen, Harbin, Harp, Harper, Hayne, Holliday, Howe, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miller, J. Moore, Nelson, O'Connell, O'Hara, Patterson, Peterson, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Spaeth, Swift, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 66

Noes: D. Brown, Campbell, Compton, Devlin, Driscoll, Gilbert, Grady, Harrington, Hart, Iverson, Jenkins, Jones, McCormick, Montayne, J.K. Moore, Nathe, Nisbet, Pavlovich, Phillips, Pistoria, Poff, Quilici, Schultz, Smith, Switzer, Thoft, Zabrocki.

Total 27

Excused: Abrams, Donaldson, Hand, Hanson, Miles, Peck.

Total 6

Absent or not voting: Bardanouve.

Total 1

HB 431 - Representative Nathe moved that HB 431, second reading copy, be amended as follows:

1. Title, line 5.

Following: "SALES"

Insert: "OF NONPERISHABLE PERSONAL PROPERTY"

2. Page 1, line 10 through line 20, page 2.

Following: "Section 1." on line 10

Strike: remainder of section 1 in its entirety

Insert: "Section 25-13-701, MCA, is amended to read:

"25-13-701. Notice of sale on execution. (1) Before the sale of the property on execution, notice thereof must be given as follows:

- (a) in case of perishable property, by posting written notice of the time and place of the sale in three public places of the township or city where the sale is to take place, for such time as may be reasonable considering the character and condition of the property;
- (b) in case of other personal property, by posting a similar notice in three public places in the township or city where the sale is to take place, for not less than 5 days or more than 10 days, and by publishing a copy of the notice at least 1 week before the sale in a newspaper of general circulation published in the county, if there be one;
- (c) in case of real property, by posting a similar notice, particularly describing the property, for 20 days in three public places of the township or city where the property is situated and also where the property is to be sold, which may be either at the courthouse or on the premises, and publishing a copy thereof once a week for the same period in some newspaper published in the county, if there be one, which notice shall be substantially as follows:

SHERIFF'S SALE

...., Plaintiff,

vs.

...., Defendant,

To be sold at sheriff's sale on the day of, 19.., at
(Here insert brief description of property.)

Signed, Sheriff

- (2) Any sheriff publishing a notice not in accordance with the form set forth in subsection (1)(c) and which shall cost more than such a notice shall not be entitled to any costs for publication of the same but shall be personally liable for the payment of such publication."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller,

Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Abrams, Donaldson, Hand, Hanson, Miles, Peck.

Total 6

Absent or not voting: Bardanouve, D. Brown.

Total 2

That HB 431, as amended, do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hansen, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Abrams, Donaldson, Hand, Hanson, Miles.

Total 5

Absent or not voting: Bardanouve, Campbell, Harper.

Total 3

HB 442 - That HB 442 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bergene, Bradley, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Glaser, Gould, Grady, Hammond, Hansen, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 78

Noes: Brandewie, D. Brown, Ellison, Garcia, Gilbert, Hannah, Harbin, Hayne, Jones, Kitselman, Montayne, Nelson, Peterson, Raney, Smith.

Total 15

Excused: Abrams, Donaldson, Hand, Hanson, Miles.

Total 5

Absent or not voting: Bardanouve, Campbell.

Total 2

Representative Harper moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Schye moved the adoption of the committee report. Report adopted. (88-1)

MOTIONS

Representative Kadas moved that HB 867 be taken from the Committee on State Administration and rereferred to the Committee on Education. Motion carried.

Representative Iverson moved that the rules be temporarily suspended to allow for the late introduction of a bill. Motion carried.

Representative Harper moved that the House recess until 1:00 p.m. Motion carried.

House recessed at 12:00 p.m.

House reconvened at 1:00 p.m.

Mr. Speaker in the Chair.

Representative Harper moved that the House recess until 1:30 p.m. to allow both parties to caucus. Motion carried.

House recessed at 1:02 p.m.

House reconvened at 1:57 p.m.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK AND IRRIGATION (Schultz, Chairman):

2/18/85

HB 682, introduced bill, be amended as follows:

1. Page 4.

Following: line 8

Insert: "(11) religious or apostolic corporations wherein no member holds any property rights in the corporation and the corporation is not conducted for the profit of any of the individual members thereof;

(12) the location or operation of any equipment or facility by a corporation providing utility service;"

Renumber: subsequent subsections

2. Page 5, line 14.

Following: "state"

Strike: remainder of lines 14 through 17

Insert: "may not receive for filing any articles of incorporation or certificate of limited partnership expressing as an authorized purpose the conduct of any agricultural activity in violation of [section 4]. The secretary of state may prescribe on the annual corporation report form, pursuant to 35-1-303 and 35-2-1102, affirmation of whether the corporation or entity, or any partnership of which it is a partner, is or is not engaged in agricultural activity, and shall monitor corporate agricultural activities to the extent possible from information required to be filed on reports submitted to that office.

The secretary of state shall notify the appropriate county attorney of any possible violations of [section 4].

(2) A county clerk and recorder may not receive for filing any instrument purporting to convey agricultural land to a corporation prohibited from acquiring such land by [section 4] and shall immediately notify the county attorney of such instance."

And, as amended, do pass. Report adopted.

HJR 32, do pass. Report adopted.

BUSINESS AND LABOR (Pavlovich, Chairman):

2/19/85

HB 634, do pass. Report adopted.

HB 694, do pass. Report adopted.

Adverse Committee Report

HB 568 - Representatives J.K. Moore, Pavlovich, Driscoll, Manuel, Thomas, Menahan, Brandewie, Harrington, J. Brown, Ellerd, Cobb, Miller, Glaser, O'Hara, Ernst, Harp, O'Connell, Quilici, Rehberg, and Devlin objected to the adverse committee report on HB 568, and requested that the bill be printed and placed on second reading.

2/18/85

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman):

2/18/85

HB 497, introduced bill, be amended as follows:

1. Title, line 11.

Following: "TRANSPORTATION"

Insert: "UNLESS CERTAIN CONDITIONS EXIST"

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 2, line 10.

Following: "(2)"

Insert: "(a)"

3. Page 2, line 16.

Following: "application"

Insert: "(b)"

4. Page 2, line 20.

Following: "transportation"

Strike: "."

Insert: "unless any of the following conditions exist:

(i) the child resides less than 3 miles from the school the child wishes to attend or more than 20 miles from any high school of his resident district. For the purposes of this subsection (2)(b)(i), the mileage is measured by traveling the most direct route on a main-tained state or county road.

(ii) the child has been declared by a court of competent jurisdiction to be an abused, neglected, or dependent child as defined in 41-3-102, or a delinquent youth as defined in 41-5-103, and has been ordered to be placed in a licensed care institution which is approved by the department of social and rehabilitation services, and as a result of the order, the child is required to attend high school outside of the district of his residence; or

(iii) the child has enrolled in a high school outside his resident district and has received an approved tuition agreement on or before [the effective date of this act]. For the purposes of this subsection (2)(b)(iii), the child has the right to continue his high school education in the receiving high school outside his resident district on an approved tuition agreement, subject to the provisions of this section."

5. Page 3.

Following: line 17

Insert: "NEW SECTION. Section 2. Effective date. This act is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 539, introduced bill, be amended as follows:

1. Page 1, line 18.

Following: "~~public~~"

Strike: "members at large"

Insert: "representatives of the public"

And, as amended, do pass. Report adopted.

HB 549, do pass. Report adopted.

HB 660, do pass. Report adopted.

HB 699, do pass. Report adopted.

HB 715, introduced bill, be amended as follows:

1. Page 2, line 21.

Following: "~~event~~"

Insert: ", unless the person is otherwise employed by a school district"

And, as amended, do pass. Report adopted.

HJR 26, referred to the committee of the whole without recommendation. Report adopted.

HJR 27, introduced bill, be amended as follows:

1. Title, line 7.

Following: "IN"

Insert: "NOVEMBER OF 1985 AND IN"

2. Page 2, line 1.

Strike: "March and April 1986,"

Insert: "November 1985 and"

3. Page 2, line 2.

Following: "twilight"

Insert: "in March and April 1986"

4. Page 2, line 6.

Following: "WHEREAS, the"

Insert: "late evening and"

5. Page 2, line 11.

Following: "months of"

Insert: "November 1985 and"

6. Page 2, line 16.

Strike: "on the mornings in"

7. Page 2, line 17.

Strike: "1986 that"

Insert: "when"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 503, do not pass.

HB 556, do not pass.

HIGHWAYS AND TRANSPORTATION (Harp, Chairman):

2/12/85

HB 491, introduced bill, be amended as follows:

1. Page 1, line 16.

Following: "name"

Insert: "and address"

2. Page 1, line 19.

Following: "certificate of"

Strike: "title"

Insert: "ownership"

3. Page 1, line 20.

Following: "~~owner~~,"

Insert: "notarized bill of sale from the former owner,"

4. Page 1, line 24.

Strike: subsection (c) in its entirety

Renumber: subsequent subsections

5. Page 2, line 4.

Following: "of"

Strike: "motor and chassis"

Insert: "the vehicle"

6. Page 2, line 13.

Following: "(2)"

Strike: "Monthly"

Insert: "Quarterly"

7. Page 2, line 15.

Following: "the"

Strike: "month"

Insert: "quarter"

8. Page 2, line 16.

Following: "and"

Insert: "the complete"

9. Page 2, line 17.

Following: "certificate of"

Strike: "title"

Insert: "ownership"

10. Page 2, line 18.

Following: line 17

Strike: "during the month"

Following: "each list."

Insert: "The division shall issue a receipt of the certificate of ownership if requested by the licensed facility and such receipt may serve as an instrument for reclaiming the certificate of ownership if the vehicle is rebuilt.

(3) A motor vehicle graveyard shall submit to the department the records, documents, and other information concerning junk vehicles received by it that are required by rules of the department."

11. Page 2, line 20.

Following: "of the"

Insert: "department of health and environmental sciences or the"

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Keenan, Chairman): 2/18/85

HB 737, do pass. Report adopted.

Adverse Committee Reports

HB 731, do not pass.

HB 731 - Representatives Harrington, Ream, Menahan, Keenan, Cohen, Miles, Quilici, Krueger, D. Brown, Driscoll, Pavlovich, Hansen, Kadas, Garcia, O'Connell, McCormick, Bachini, M. Williams, Rapp-Svrcek, Raney, J. Brown, Hart, and Connelly objected to the adverse committee report on HB 731, and requested that the bill be printed and placed on second reading. 2/19/85

JUDICIARY (Hannah, Chairman): 2/19/85

HB 726, do pass. Report adopted.

HB 795, do pass. Report adopted.

Adverse Committee Reports

HB 473 - Representatives Jones, D. Brown, Nisbet, Menahan, Sands, Keyser, Patterson, Phillips, Mercer, J.K. Moore, Harrington, O'Connell, Ellerd, Montayne, Hannah, Driscoll, Krueger, C. Smith, Quilici, and McCormick objected to the adverse committee report on HB 473, and requested that the bill be printed and placed on second reading. 2/19/85

HB 742, do not pass.

STATE ADMINISTRATION (Sales, Chairman): 2/18/85

HB 423, introduced bill, be amended as follows:

1. Page 1, line 23.

Following: "lawful"

Insert: "if proper safety precautions regarding public waters, as prescribed in Title 14, part 91, Code of Federal Regulations, are taken prior to such landing or takeoff,"

2. Page 1, line 24.

Strike: "and" through "government"

And, as amended, do pass. Report adopted.

MOTIONS

Representative Donaldson present at this time.

Representative Hannah moved that the rules be temporarily suspended to allow for the late introduction of a Judiciary Committee bill dealing with criminal trespass. Motion carried.

Representative Spaeth moved that the House reconsider its action in failing to pass HB 613, second reading yesterday. Motion carried.

Representative Ramirez moved that HB 366 be taken from the Committee on Judiciary and placed on second reading on the 39th legislative day. Motion carried. (51-49)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Schye in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 507 - Representative Keyser moved that HB 507 do pass. Representative Addy made a substitute motion that HB 507 do not pass. Motion failed as follows:

Ayes: Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, Manuel, Menahan, Miles, Miller, Montayne, J. Moore, Nisbet, Pavlovich, Peck, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.
Total 49

Noes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, McCormick, Marks, Mercer, J.K. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Peterson, Phillips, Pistoria, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.
Total 50

Paired: Harper, Aye; Hanson, No.

Excused: Abrams.
Total 1

Absent or not voting: None.
Total 0

That HB 507 do pass. Motion carried as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, McCormick, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Peterson, Phillips, Pistoria, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.
Total 51

Noes: Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, Pavlovich, Peck, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.
Total 48

Paired: Hanson, Aye; Harper, No.

Excused: Abrams.
Total 1

Absent or not voting: None.

Total 0

HB 544 - That HB 544 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bergene, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Abrams, Hanson.

Total 2

Absent or not voting: Bardanouve, Bradley, Ellison, Hart.

Total 4

HB 558 - That HB 558 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miller, Montayne, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 75

Noes: Addy, Bergene, Cobb, Cohen, Connelly, Darko, Driscoll, Fritz, Hansen, Harbin, Harper, Kadas, Menahan, Miles, J.K. Moore, Nisbet, Raney, Rapp-Svrcek, Waldron.

Total 19

Excused: Abrams, Hanson.

Total 2

Absent or not voting: Bardanouve, Harrington, Hart, Pistoria.

Total 4

HB 564 - That HB 564 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands,

Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Abrams, Hanson.

Total 2

Absent or not voting: Grady, Harrington.

Total 2

HB 569 - That HB 569 do pass. Motion failed as follows:

Ayes: Addy, Bachini, Bergene, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hand, Hansen, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Krueger, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Poff, Quilici, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 45

Noes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harbin, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Lory, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Pistoria, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 53

Paired: Quilici, Aye; Hanson, No.

Excused: Abrams.

Total 1

Absent or not voting: Bardanouve.

Total 1

That HB 569 do not pass. Motion carried as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Lory, Marks, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Pistoria, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 55

Noes: Addy, Bachini, Bergene, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hansen, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Krueger, McCormick, Manuel, Menahan, Miles, Montayne, Nisbet, O'Connell, Pavlovich, Peck, Poff, Quilici, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 43

Paired: Hanson, Aye; Quilici, No.

Excused: Abrams.

Total 1

Absent or not voting: Bardanouve.

Total 1

HB 577 - That HB 577 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Abrams, Hanson.

Total 2

Absent or not voting: Bardanouve, Connelly, Glaser, O'Connell, Sands.

Total 5

Representative Krueger excused at this time.

HB 631 - Representative Keyser moved that HB 631, second reading copy, be amended as follows:

1. Title, line 5.

Strike: "ONLY"

2. Title, line 6.

Following: "USED;"

Insert: "TO PROVIDE THAT THE ELECTION ADMINISTRATOR MAY PROVIDE PAPER BALLOTS WHERE VOTING DEVICES ARE USED;"

3. Page 1, line 12.

Following: "ballots."

Insert: "(1)(a)"

4. Page 1, line 16.

Following: "requested."

Insert: "(b) Where voting devices are used, the election administrator may provide paper ballots if the election administrator believes such ballots are necessary. The printing of paper ballots provided pursuant to this subsection is an allowable election cost under the provisions of 13-1-302.

(2)"

5. Page 1, line 18.

Following: "."

Insert: "(3)"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bergene, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson,

Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Abrams, Hanson.

Total 2

Absent or not voting: Bardanouve, Bradley, Connelly, Kennerly, Koehnke, Patterson.

Total 6

Representative Eudaily moved that Representative Keyser's amendment to HB 631, second reading copy this day, be amended as follows:

1. Amendment 4.

Following: "used, the election administrator"

Insert: " , with approval of the governing body of the county,"

Amendment passed as follows:

Ayes: Addy, Bachini, Bergene, Bradley, Brandewie, Campbell, Cobb, Cody, Compton, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hansen, Harp, Howe, Iverson, Jenkins, Jones, Kadas, Kennerly, Keyser, Kitselman, Lory, Manuel, Marks, Menahan, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thomas, Waldron, Wallin, Winslow, Zabrocki.

Total 69

Noes: Asay, J. Brown, Cohen, Driscoll, Fritz, Hand, Harbin, Harper, Hart, Hayne, Holliday, Keenan, Keller, McCormick, Miles, Montayne, Patterson, Raney, Spaeth, Thoft, Williams, Mr. Speaker.

Total 22

Excused: Abrams, Hanson.

Total 2

Absent or not voting: Bardanouve, D. Brown, Connelly, Harrington, Koehnke, Krueger, Pavlovich.

Total 7

That HB 631, as amended, do pass. Motion carried as follows:

Ayes: Addy, Asay, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K.

Moore, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki.
Total 82

Noes: Bachini, Cohen, Glaser, Hansen, Keenan, Montayne, Nisbet, Patterson, Peck, Spaeth, Mr. Speaker.
Total 11

Excused: Abrams, Hanson, Krueger.
Total 3

Absent or not voting: Bardanouve, D. Brown, Connelly, Harrington.
Total 4

Representative Krueger present at this time.

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Schye moved the adoption of the committee report. Report adopted. (75-18)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/19/85
Correctly printed: HB 423, HB 473, HB 491, HB 539, HB 549, HB 568, HB 634, HB 660, HB 682, HB 694, HB 699, HB 715, HB 726, HB 731, HB 737, HB 795, HJR 26, HJR 27, HJR 32.
Considered correctly engrossed: HB 54, HB 164, HB 354, HB 442, HB 755, HB 792, HB 818, HJR 1, HJR 25.
Correctly engrossed: HB 210.
Signed by the Speaker at 2:00 p.m., 2/19/85: HB 27, HB 30, HB 81, HB 350.

BUSINESS AND LABOR (Pavlovich, Chairman): 2/19/85

Adverse Committee Report

HB 691, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Asay, Bergene, Bradley, Brandewie, J. Brown, Cody, Cohen, Compton, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hand, Harbin, Hayne, Holliday, Howe, Iverson, Jenkins, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, Miles, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Peterson, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Schye, Simon, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.
Total 57

Noes: Addy, Bachini, Campbell, Cobb, Connelly, Darko, Donaldson, Driscoll, Gould, Hammond, Hannah, Hansen, Harp, Harper, Harrington, Hart, Jones, Kadas, Krueger, Manuel, Marks, Menahan, Mercer, Miller, Montayne, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Quilici, Rapp-Svrcek, Ream, Smith, Spaeth, Waldron, Zabrocki.
Total 37

Excused: Abrams, Hanson.
Total 2

Absent or not voting: Bardanouve, D. Brown, McCormick, Poff.
Total 4

JUDICIARY (Hannah, Chairman):

2/18/85

HB 447, introduced bill, be amended as follows:

1. Title, line 6.

Following: "OF"

Insert: "NO MORE THAN 50 PERCENT OF"

2. Page 1, line 17.

Following: "(b)"

Insert: "to the extent of 50% of any payment under this chapter"

And, as amended, do pass. Report adopted.

HB 712, introduced bill, be amended as follows:

1. Title, line 9.

Strike: "SECTIONS"

Insert: "SECTION"

Following: "71-3-711"

Strike: "AND 71-3-804"

2. Page 2, line 6.

Following: "applied"

Strike: "or" through "later" on line 7

3. Page 4.

Following: line 14

Strike: section 7 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 722, introduced bill, be amended as follows:

2/19/85

1. Title, line 8.

Strike: "THROUGH"

Insert: "AND"

2. Page 1.

Following: line 22

Strike: section 2 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 837, introduced bill, be amended as follows:

1. Page 1, line 19.

Following: "shoots,"

Insert: "or"

Following: "kills"

Strike: ", or" through "means" on line 20

2. Page 1, line 24.

Strike: "\$10,000"

Insert: "\$5,000"

3. Page 1, line 25.

Strike: "5"

Insert: "3"

And, as amended, do pass. Report adopted.

HB 448, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Addy, Asay, Bachini, Bergene, Bradley, Brandewie, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Harbin, Harp, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 84

Noes: J. Brown, Hammond, Harper, Krueger, Miles, O'Hara, Peck.

Total 7

Excused: Abrams, Hanson.

Total 2

Absent or not voting: Bardanouve, D. Brown, Driscoll, Ellison, Harrington, Pistoria, Smith.

Total 7

HB 456, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Asay, Bachini, Bergene, Bradley, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hannah, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Koehnke, Krueger, Lory, Manuel, Marks, Mercer, Miller, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 72

Noes: Addy, J. Brown, Cody, Cohen, Connelly, Darko, Fritz, Hammond, Hand, Hansen, Harper, Kadas, Keenan, Kitselman, Menahan, Miles, J. Moore, O'Hara, Pistoria, Poff, Rapp-Svrcek, Schye, Waldron.

Total 23

Excused: Abrams, Hanson.

Total 2

Absent or not voting: Bardanouve, D. Brown, McCormick.

Total 3

STATE ADMINISTRATION (Sales, Chairman):

2/19/85

Adverse Committee Report

HB 709, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Asay, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Harbin, Harp, Harper, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Koehnke,

Lory, Manuel, Marks, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peterson, Phillips, Poff, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Mr. Speaker.

Total 77

Noes: Addy, Bachini, Driscoll, Hansen, Harrington, Kadas, Keenan, Krueger, Menahan, Montayne, Pavlovich, Peck, Pistoria, Quilici, Ream, Zabrocki.

Total 16

Excused: Abrams, Hanson.

Total 2

Absent or not voting: Bardanouve, D. Brown, Howe, McCormick, Winslow.

Total 5

TAXATION (Devlin, Chairman):

2/19/85

Adverse Committee Report

HB 752, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 74

Noes: Addy, Bergene, Cody, Darko, Driscoll, Fritz, Garcia, Hammond, Harper, Keenan, Menahan, Miller, Nisbet, O'Connell, O'Hara, Pavlovich, Pistoria, Schye, Waldron.

Total 19

Excused: Abrams, Hanson.

Total 2

Absent or not voting: Bardanouve, D. Brown, Kadas, McCormick, Winslow.

Total 5

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 854, introduced by Koehnke. Referred to Committee on Human Services and Aging.

HB 891, introduced by Addy, Donaldson, Schye, Hirsch, Hanson, Spaeth, Grady, Poff, Cobb, Holliday, Patterson, Krueger, Koehnke, Yellowtail. Referred to Committee on Natural Resources.

HB 892, introduced by Harper, Ream, Connelly, Grady, Harp, Iverson, Mohar, E. Smith, Schye, Yellowtail, Keenan, Mazurek, Brandewie,

Kadas, Bardanouve, Abrams. Referred to Committee on Natural Resources.

HB 893, introduced by Quilici, Lory, Connelly, Bardanouve, (By Request of the House Appropriations Committee). Referred to Committee on State Administration.

HB 894, introduced by Sands, Kitselman, Darko, (By Request of the House Local Government Committee). Referred to Committee on Local Government.

HB 895, introduced by Pavlovich, (By Request of the House Committee on Business and Labor). Referred to Committee on Business and Labor.

HB 896, introduced by Iverson. Referred to Committee on Business and Labor.

HB 897, introduced by Winslow, (By Request of the House Appropriations Committee). Referred to Committee on Appropriations.

HB 898, introduced by Kadas. Referred to Committee on Business and Labor.

HB 899, introduced by Kadas, Miles, Garcia, Halligan, Conover, Ream, Daniels. Referred to Committee on Natural Resources.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

✓ **HB 235** passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Fritz, Marks.

Total 2

Excused: Abrams, Hanson.

Total 2

Absent or not voting: None.

Total 0

HB 265 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream,

Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: D. Brown, Cobb, Ellison, Nathe, Pavlovich, Swift.

Total 6

Excused: Abrams, Hanson.

Total 2

Absent or not voting: Montayne.

Total 1

HB 276 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Abrams, Hanson.

Total 2

Absent or not voting: None.

Total 0

HB 331 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 90

Noes: Campbell, Ellerd, Fritz, Hansen, Kadas, Koehnke, Sales.

Total 7

Excused: Abrams, Hanson.

Total 2

Absent or not voting: Winslow.

Total 1

HB 341 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Cody, Peck.

Total 2

Excused: Abrams, Hanson.

Total 2

Absent or not voting: None.

Total 0

HB 342 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Gilbert, Zabrocki.

Total 2

Excused: Abrams, Hanson.

Total 2

Absent or not voting: None.

Total 0

HB 360 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Darko, Driscoll, Ernst, Eudaily, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Miller, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Ream, Sands, Schye, Smith, Switzer, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 66

Noes: Asay, Campbell, Compton, Devlin, Donaldson, Ellerd, Ellison, Fritz, Gilbert, Harbin, Hayne, Jones, Keller, Keyser, Marks, Mercer, Montayne,

Nathe, Patterson, Peterson, Phillips, Ramirez, Rapp-Svrcek, Rehberg, Sales, Schultz, Simon, Spaeth, Swift, Thoft, Thomas, Wallin.

Total 32

Excused: Abrams, Hanson.

Total 2

Absent or not voting: None.

Total 0

HB 362 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Abrams, Hanson.

Total 2

Absent or not voting: None.

Total 0

HB 380 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Abrams, Hanson.

Total 2

Absent or not voting: None.

Total 0

HB 414 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko,

Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Cody.

Total 1

Excused: Abrams, Hanson.

Total 2

Absent or not voting: Quilici.

Total 1

HB 471 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Cody, Ellison, Koehnke, Schye, Swift.

Total 5

Excused: Abrams, Hanson.

Total 2

Absent or not voting: O'Connell.

Total 1

HB 474 passed as follows:

Ayes: Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 79

Noes: J. Brown, Campbell, Ernst, Eudaily, Fritz, Glaser, Hannah, Holliday, Keyser, Koehnke, Lory, Peterson, Raney, Sales, Sands, Schultz, Thoft, Zabrocki.

Total 18

Excused: Abrams, Hanson.

Total 2

Absent or not voting: Bardanouve.

Total 1

HB 480 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Abrams, Hanson.

Total 2

Absent or not voting: None.

Total 0

HB 481 passed as follows:

Ayes: Addy, Asay, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 90

Noes: Bachini, Driscoll, Hart, Montayne, Peck, Sands, Spaeth.

Total 7

Excused: Abrams, Hanson.

Total 2

Absent or not voting: McCormick.

Total 1

HB 483 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen,

Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Sales.

Total 1

Excused: Abrams, Hanson.

Total 2

Absent or not voting: None.

Total 0

HB 484 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Abrams, Hanson.

Total 2

Absent or not voting: None.

Total 0

HB 522 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Abrams, Hanson.

Total 2

Absent or not voting: Campbell, Montayne, Switzer.

Total 3

HB 524 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Devlin.

Total 1

Excused: Abrams, Hanson.

Total 2

Absent or not voting: None.

Total 0

HB 526 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Fritz, Krueger.

Total 2

Excused: Abrams, Hanson.

Total 2

Absent or not voting: None.

Total 0

HB 534 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas,

Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 90

Noes: Darko, Driscoll, Fritz, Harbin, Keenan, Phillips, Spaeth, Switzer.
Total 8

Excused: Abrams.
Total 1

Absent or not voting: Harp.
Total 1

HB 557 passed as follows:

Ayes: Addy, Asay, Bergene, Bradley, D. Brown, J. Brown, Cobb, Cody, Compton, Connelly, Darko, Driscoll, Ellerd, Ernst, Fritz, Garcia, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Keenan, Keller, Kennerly, Keyser, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Pavlovich, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Schultz, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 71

Noes: Bachini, Bardanouve, Brandewie, Campbell, Cohen, Devlin, Donaldson, Ellison, Eudaily, Gilbert, Glaser, Harbin, Harp, Jones, Kadas, Kitselman, Koehnke, J.K. Moore, Nelson, Patterson, Peck, Peterson, Raney, Ream, Sales, Sands, Schye, Smith.
Total 28

Excused: Abrams.
Total 1

Absent or not voting: None.
Total 0

HB 566 passed as follows:

Ayes: Addy, Asay, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Compton, Connelly, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki.
Total 87

Noes: Bachini, Campbell, Cohen, Darko, Fritz, Glaser, Harp, Keenan, Miles, Patterson, Ream, Mr. Speaker.
Total 12

Excused: Abrams.
Total 1

Absent or not voting: None.

Total 0

HB 570 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: Glaser.

Total 1

Excused: Abrams.

Total 1

Absent or not voting: None.

Total 0

HB 598 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Abrams.

Total 1

Absent or not voting: Montayne.

Total 1

HB 599 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, Nathe, Nelson,

Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Abrams.

Total 1

Absent or not voting: J. Moore.

Total 1

HB 606 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: Hansen.

Total 1

Excused: Abrams.

Total 1

Absent or not voting: None.

Total 0

HB 623 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Cody, Kadas.

Total 2

Excused: Abrams.

Total 1

Absent or not voting: None.

Total 0

HB 627 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Montayne.

Total 1

Excused: Abrams.

Total 1

Absent or not voting: O'Hara.

Total 1

HB 643 passed as follows:

Ayes: Addy, Asay, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: Bachini, Bardanouve, Cody, Fritz, Hansen, Hart, Kadas, Peck.

Total 8

Excused: Abrams.

Total 1

Absent or not voting: None.

Total 0

HB 658 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici,

Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Fritz, Keenan, Krueger, Miles.

Total 4

Excused: Abrams.

Total 1

Absent or not voting: None.

Total 0

HB 662 passed as follows:

Ayes: Addy, Asay, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Bachini, Hansen, Harper, Peck, Raney.

Total 5

Excused: Abrams.

Total 1

Absent or not voting: None.

Total 0

HB 673 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: Gould.

Total 1

Excused: Abrams.

Total 1

Absent or not voting: None.

Total 0

HB 718 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 81

Noes: D. Brown, Driscoll, Fritz, Garcia, Hammond, Hansen, Harrington, Kadas, Keenan, Krueger, Menahan, Miles, Montayne, Nisbet, Pavlovich, Quilici, Ream, Thomas.

Total 18

Excused: Abrams.

Total 1

Absent or not voting: None.

Total 0

HB 734 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Darko, Driscoll, Hansen, Harbin, Jones, Koehnke, Raney.

Total 7

Excused: Abrams.

Total 1

Absent or not voting: None.

Total 0

HB 759 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson,

Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Abrams.

Total 1

Absent or not voting: None.

Total 0

HB 813 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Nathe, Peck.

Total 2

Excused: Abrams.

Total 1

Absent or not voting: Marks.

Total 1

HB 816 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 97

Noes: Hannah.

Total 1

Excused: Abrams.

Total 1

Absent or not voting: Winslow.

Total 1

HJR 30 passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Addy, Miles, Peck.

Total 3

Excused: Abrams.

Total 1

Absent or not voting: Cohen.

Total 1

MOTIONS

Representative J.K. Moore moved that HB 792 be taken from third reading and referred to the Committee on Appropriations. Motion carried.

Representative Wallin moved that the rules be temporarily suspended to allow for the late introduction of a bill. Motion carried.

Representative Waldron moved that his vote on HJR 1, second reading this day, be changed from no to yes. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Holliday invited members of the assembly to the CARE Forum on Agriculture at 7:00 p.m. in the Supreme Court Chambers.

Representative Harper moved that the House adjourn until 10:00 a.m., February 20, 1985.

Motion carried.

House adjourned at 5:12 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

THIRTY-NINTH LEGISLATIVE DAY

Helena, Montana
February 20, 1985

House Chambers
State Capitol

House convened at 10:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Asay, Donaldson, Schye, Smith, Waldron, Williams, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the thirty-eighth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/19/85
Correctly engrossed: HB 239, HB 431, HB 646.

2/20/85
Correctly printed: HB 447, HB 497, HB 712, HB 722, HB 837.
Considered correctly engrossed: HB 507, HB 544, HB 558, HB 564, HB 577.

Correctly engrossed: HB 631.

Correctly enrolled: HB 13, HB 194, HB 316, HR 2.

Examined by the sponsor (Kennerly) and found to be correct: HB 13.

Examined by the sponsor (Koehnke) and found to be correct: HB 194.

Examined by the sponsor (Krueger) and found to be correct: HB 316.

Examined by the sponsor (Harp) and found to be correct: HR 2.

HUMAN SERVICES AND AGING (Keenan, Chairman): 2/18/85
HB 729, introduced bill, be amended as follows:

1. Page 1, lines 22 through 23.

Following: "disorder"

Insert: " , "

Following: "53-21-102"

Insert: " , associated with the aging process,"

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 729

This bill requires a statement of intent because section 1 grants rule-making authority to the department of institutions to adopt rules regarding the admission, treatment, and discharge of residents of the Montana center for the aged.

It is contemplated that rules relating to admission are to address the following:

- (1) the medical condition of applicant;
- (2) the mental condition of applicant; and
- (3) the comprehensiveness of recent medical and mental evaluation of an applicant.

It is intended that rules relating to treatment are to describe aspects of the center's program, including:

- (1) services offered by the center; and
- (2) the availability of medical support.

Rules relating to discharge are to include a requirement that residents must be discharged upon the request of the resident or his legal guardian, and they must include specific grounds for the discharge of a resident against his will. Such grounds must include whether the resident:

- (1) can function independently; or
- (2) requires more intensive medical or mental health services.

HB 777, introduced bill, be amended as follows:

1. Page 2, lines 1 through 3.

Following: "study"

Strike: remainder of line 1 through "Counties" on line 3

2. Page 2, line 5.

Following: "Montana."

Insert: "The study must be a systematic, empirically based study, utilizing an independent data base, that includes an evaluation of price levels in a cross section of the state. The department shall present the results of its study to the 50th legislature. The results of the study do not, in themselves and without implementation by legislative enactment or department rule, constitute a basis for redetermining the level of general relief assistance to which an eligible recipient may be entitled. In addition, the results of the study may not serve as a basis, in whole or in part, for a legal claim to a level of general relief assistance greater than that provided for under the rules adopted by the department."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House: 2/19/85

HB 141, introduced by Manuel

HB 233, introduced by Grady, et al.

HJR 17, introduced by Schultz, et al.

Senate bills passed and transmitted to the House for concurrence: 2/19/85

SB 109, introduced by Fuller, et al.

SB 130, introduced by Harding, et al.

SB 272, introduced by Mohar

SB 273, introduced by Thayer

SB 282, introduced by Farrell

SB 296, introduced by Stimatz, et al.

SB 315, introduced by Eck, et al.

SB 331, introduced by Christiaens, et al.

SB 350, introduced by Crippen, Keyser

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Winslow in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 585 - Representative Gould moved that HB 585, second reading copy, be amended as follows:

1. Page 2, line 6.

Strike: "presumed correct"

Insert: "entitled to deference"

Amendment passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Asay, Donaldson, Schye, Smith, Waldron, Williams.

Total 6

Absent or not voting: Quilici.

Total 1

Representative Waldron present at this time.

That HB 585, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 85

Noes: D. Brown, Cohen, Driscoll, Hansen, Keenan, Krueger, Miles, Montayne, Spaeth.

Total 9

Excused: Asay, Donaldson, Schye, Smith, Williams.

Total 5

Absent or not voting: Quilici.

Total 1

Representative Asay present at this time.

HB 613 - Representative Spaeth moved that HB 613, second reading copy, be amended as follows:

1. Title, line 9.

Strike: "ISSUE"

2. Page 1, line 22.

Strike: "ISSUE"

Following: "certified"

Insert: "for printing and without limiting the other remedies available"

3. Page 2, line 14.

Strike: "ISSUE"

Following: "certified"

Insert: "for printing and without limiting the other remedies available"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 91

Noes: Bachini, Peck.

Total 2

Excused: Donaldson, Schye, Smith, Williams.

Total 4

Absent or not voting: Bardanouve, Harrington, Quilici.

Total 3

That HB 613, as amended, do pass. Motion carried as follows:

Ayes: Asay, Bergene, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Lory, Manuel, Marks, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki.
Total 65

Noes: Abrams, Addy, Bachini, Bradley, D. Brown, Cohen, Connelly, Darko, Garcia, Hammond, Hansen, Harper, Hart, Kadas, Keenan, Koehnke, Krueger, McCormick, Menahan, Miles, Nisbet, Peck, Poff, Rapp-Svrcek, Ream, Waldron, Mr. Speaker.

Total 27

Excused: Donaldson, Schye, Smith, Williams.

Total 4

Absent or not voting: Bardanouve, Montayne, O'Hara, Quilici.
Total 4

HB 632 - That HB 632 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Schye, Simon, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 84

Noes: Bardanouve, Ellerd, Ellison, Garcia, Hanson, Jones, Manuel, Ramirez, Sales, Sands, Switzer.

Total 11

Paired: Schye, Aye; Switzer, No.

Excused: Donaldson, Smith, Williams.

Total 3

Absent or not voting: Hannah, Peck.

Total 2

HB 338 - Representative Spaeth moved that HB 338, second reading copy, be amended. Amendment failed. (26-66)

Representative Addy moved that HB 338, second reading copy, be amended as follows:

1. Page 23.

Following: line 5

Insert: "(5) The commissioner shall assess a fee for administering the examination to an applicant for a title insurance agent's license that is calculated to cover the cost of administration of the examination."

Renumber: subsequent subsection

2. Page 23, line 18.

Strike: "(5)"

Insert: "(6)"

Renumber: internal references

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Hannah.

Total 1

Excused: Donaldson, Schye, Smith, Williams.

Total 4

Absent or not voting: Grady.

Total 1

That HB 338, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sands, Schultz, Simon, Swift, Switzer, Thoft, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 86

Noes: Hannah, Hansen, Kadas, Keyser, Ramirez, Rehberg, Sales, Spaeth, Thomas.

Total 9

Excused: Donaldson, Schye, Smith, Williams.

Total 4

Absent or not voting: Pistoria.

Total 1

HB 653 - That HB 653 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Simon, Swift, Switzer, Thoft, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 85

Noes: Hanson, Howe, Keyser, Patterson, Rapp-Svrcek, Spaeth, Thomas.

Total 7

Excused: Donaldson, Schye, Smith, Williams.

Total 4

Absent or not voting: Abrams, Hannah, O'Connell, Poff.

Total 4

Representative Williams present at this time.

HB 700 - That HB 700 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Rapp-Svrcek.

Total 1

Excused: Donaldson, Schye, Smith.

Total 3

Absent or not voting: Jones, Poff, Williams.

Total 3

HB 702 - That HB 702 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Donaldson, Schye, Smith.

Total 3

Absent or not voting: Williams.

Total 1

HB 705 - That HB 705 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Glaser, Switzer.

Total 2

Excused: Donaldson, Schye, Smith.

Total 3

Absent or not voting: Abrams, Simon, Williams.

Total 3

HB 706 - That HB 706 do pass. Motion carried as follows:

Ayes: Abrams, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Rapp-Svrcek, Ream, Sands, Schultz, Simon, Swift, Switzer, Thoft, Waldron, Winslow, Zabrocki, Mr. Speaker.

Total 78

Noes: Addy, Asay, Campbell, Devlin, Driscoll, Ellerd, Ellison, Hayne, Howe, Keller, Montayne, Ramirez, Raney, Rehberg, Sales, Spaeth, Thomas, Wallin.

Total 18

Excused: Donaldson, Schye, Smith.

Total 3

Absent or not voting: Williams.

Total 1

HB 710 - That HB 710 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Simon, Spaeth, Swift, Switzer, Thoft, Waldron, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: Hayne, Keyser, Peck, Sales, Thomas.

Total 5

Excused: Donaldson, Schye, Smith.

Total 3

Absent or not voting: Poff, Wallin, Williams.

Total 3

Representative Simon in the Chair.

Representative Donaldson present at this time.

HB 713 - That HB 713 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Schye, Smith.

Total 2

Absent or not voting: Lory, Poff.

Total 2

HB 720 - Representative J. Brown moved that HB 720, second reading copy, be amended as follows:

1. Page 3, line 1.

Strike: "attached to"

Insert: "within"

Amendment passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Marks.

Total 1

Excused: Schye, Smith.

Total 2

Absent or not voting: Asay, D. Brown, Hansen, Krueger, Schultz.

Total 5

Representative Schye present at this time.

That HB 720, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Ernst, Fritz, Garcia,

Gould, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Krueger, Lory, McCormick, Menahan, Mercer, Miles, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schultz, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.
Total 54

Noes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Ellerd, Ellison, Eudaily, Gilbert, Glaser, Grady, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Manuel, Marks, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Simon, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.
Total 44

Excused: Smith.
Total 1

Absent or not voting: Donaldson.
Total 1

Representative Harper moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Simon moved the adoption of the committee report. Report adopted. (99-0)

MOTIONS

Representative Harper moved that the House recess until 1:00 p.m. Motion carried.

House recessed at 11:30 a.m.

House reconvened at 1:00 p.m.

Representative Pavlovich excused at this time.

Representative Hannah moved that HB 118 be taken from the table in the Committee on Local Government and placed on second reading. Motion failed. (42-55)

Representative J. Brown moved that HB 720 be taken from engrossing and referred to the Committee on Appropriations. Motion carried.

Representative Eudaily moved that HB 632 be taken from engrossing and referred to the Committee on Appropriations. Motion carried.

Representative Spaeth moved that his name be withdrawn as a sponsor to HB 479, at the request of his grandmother. Motion carried.

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Pavlovich, Chairman): 2/19/85
HB 554, introduced bill, be amended as follows:

1. Title, line 6.

Following: "ACT"

Insert: "THE MONTANA IN-STATE INVESTMENT ACT, AND
THE INDUSTRIAL DEVELOPMENT PROJECTS LAW"

2. Title, line 6.

Following: "WITH"

Strike: remainder of line 6 through "PROVISIONS" on line 7

Insert: "A PROVISION"

3. Page 2, line 6.

Following: "of"

Strike: remainder of line 6 through "2" on line 7

Insert: "18-2-403"

4. Page 4, line 9.

Following: "of"

Strike: remainder of line 9 through "2" on line 10

Insert: "18-2-403"

5. Page 5, line 15.

Following: line 14

Insert: "NEW SECTION. Section 3. Preference of Montana labor.

Any contract to construct a project financed pursuant to this part must require all contractors to comply with the provisions of 18-2-403."

Renumber: subsequent section

6. Page 5.

Following: line 18

Insert: "NEW SECTION. Section 5. Codification instruction.

Section 3 is intended to be codified as an integral part of Title 17, chapter 6, part 3, and as an integral part of Title 90, chapter 5, part 1, and the provisions of Title 17, chapter 6, part 3, and of Title 90, chapter 5, part 1, apply to section 3."

And, as amended, do pass. Report adopted.

HB 817, introduced bill, be amended as follows:

1. Title, line 7.

Following: "A"

Insert: "MONTANA"

2. Page 2, line 1.

Following: "and"

Strike: remainder of line 1 through "application" on line 3

Insert: "applies"

3. Page 3, line 2.

Following: "means"

Strike: remainder of line 2 through "benefits" on line 5

Insert: "any plan, program, contract, or other arrangement to the extent not exempt from inclusion by virtue of the provisions of the federal Employee Retirement Income Security Act of 1974 under which one or more employers, unions, or other organizations provide to their employees or members, either directly or indirectly through a trust or a third party administrator, health care services or benefits other than through an insurer."

4. Page 4, line 4.

Following: "a"

Insert: "nonprofit legal entity to be known as the Montana"

5. Page 5, line 20.

Following: "to"

Insert: "a weighted average"

6. Page 5, line 21.

Following: "annual"

Insert: "Montana"

7. Page 5, line 22.

Following: "volume"

Strike: " "

Insert: " "

Strike: remainder of line 22 through line 1, page 6

8. Page 6, line 16.

Following: "22"

Insert: "excepting part 7"

9. Page 8, line 1.

Following: "dental;"

Insert: "and"

10. Page 8, line 3.

Following: "year"

Strike: remainder of line 3 through "33-22-703" on line 5

11. Page 9, line 3.

Following: "law,"

Strike: remainder of line 3 through "or" on line 7

12. Page 9, line 22.

Following: "transplants"

Strike: remainder of line 22 through "association" on line 23

13. Page 11, line 11.

Following: "necessary. The"

Strike: "commissioner"

Insert: "association"

14. Page 11, line 18.

Strike: "90%"

Insert: "88%"

15. Page 11, line 20.

Strike: "10%"

Insert: "12%"

16. Page 13, line 23.

Following: "The"

Strike: remainder of line 23 through "revenue" on line 24

Insert: "insurance commissioner"

17. Page 16, line 17.

Following: "12], an"

Strike: "agent of"

Insert: "independent contractor for"

18. Page 16, line 18.

Following: "is"

Strike: "civilly"

Insert: "individually"

19. Page 18, line 13.

Following: "effective"

Strike: remainder of line 13 through "12]" on line 16

Insert: "on the first of the month following acceptance"

20. Page 19.

Following: line 3

Insert: "(5) A change of residence from Montana to another state immediately terminates eligibility for renewal of coverage under the association plan.

Section 13. Liability of association membership. No member of the association is liable for the actions of the association or its lead carrier."

Renumber: subsequent sections

21. Page 19, line 9.

Strike: "12"

Insert: "13"

22. Page 19, line 11.

Strike: "12"

Insert: "13"

Renumber: internal references

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 817

A statement of intent is required for this bill because it grants rule-making authority to the commissioner of insurance for the purpose of making effective the provisions and purposes of this act.

The purpose of this act is to establish a mechanism through which adequate levels of health insurance coverages can be made available to residents of this state who are otherwise considered uninsurable. This bill establishes a state association or pool of which all insurers, health service corporations, and fraternal benefit societies providing health care benefits in Montana are members.

It is intended that the pool coverage is the coverage of "last resort" and is not intended to duplicate coverages from any other source, private or public. The mechanics of the pool and its operations and functions must all be established under a plan approved by the commissioner. The pool is subject to the requirements of the insurance code and has the general powers and authority of an insurer licensed to transact health insurance business in this state.

It is intended that the association board of directors be responsible for the day-to-day operations of the association, subject to the review and approval of the insurance commissioner.

Adverse Committee Report

HB 728, do not pass.

FISH AND GAME (Ream, Chairman):

2/19/85

HB 611, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "ANY BEAR, WOLF, MOUNTAIN LION, OR COYOTE"

Insert: "CERTAIN BEARS, WOLVES, MOUNTAIN LIONS, OR COYOTES"

2. Title, line 6.

Following: "TATTOOED"

Strike: "BY THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS"

Insert: "OR OTHERWISE PERMANENTLY IDENTIFIED"

3. Page 1, line 21.

Following: "(2)"

Strike: "The department shall permanently tattoo each"

Insert: "Each"

4. Page 1, line 22.

Following: "(1)"

Insert: "shall be permanently tattooed"

5. Page 1, line 24.

Following: "animal."

Strike: "The department shall charge a fee of \$35 for each animal tattooed, except for those animals captured or held in captivity by the department."

6. Page 2, line 9.

Following: "records."

Insert: "(1)"

7. Page 2, line 10.

Following: "animal"

Strike: "tattooed by"

Insert: "reported to"

8. Page 2, line 12.

Strike: "(1)"

Insert: "(a)"

9. Page 2, line 14.

Strike: "(2)"

Insert: "(b)"

10. Page 2, line 15.

Strike: "(3)"

Insert: "(c)"

11. Page 2, line 16.

Strike: "(4)"

Insert: "(d)"

12. Page 2, line 17.

Strike: "(5)"

Insert: "(e)"

13. Page 2.

Following: line 18

Insert: "(2) The department shall establish by rule a fee to be charged, which may not exceed the administrative cost of maintaining the record required by this section."

14. Page 2, line 21.

Following: "captivity"

Insert: "or that escapes from such captivity"

15. Page 2, line 23.

Following: "holding"

Insert: "or who held"

16. Page 2.

Following: line 24

Insert: "Section 4. Exceptions. This act does not apply to those animals:

(1) captured and released as part of an ongoing game management program or an ongoing predator control program unless such animals have been involved in livestock killing; or

(2) captured and released as part of a scientific, educational, or research program as certified by the department."

Renumber: subsequent sections

17. Page 3, line 5.

Strike: "3"

Insert: "4"

18. Page 3, line 7.

Strike: "3"

Insert: "4"

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 611

This bill requires a statement of intent because section 4 requires the department of fish, wildlife, and parks to adopt a rule establishing a fee to be charged for receiving reports of the capture of animals listed in the bill and maintaining a record of such reports. It is the intent of the legislature that such fee shall reflect the actual administrative cost incurred by the department in carrying out its responsibility under the bill.

HB 763, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 763

A statement of intent is required for this bill because section 3 requires the department of fish, wildlife, and parks to adopt rules regulating special wild buffalo licenses. It is the intent of the legislature that the department adopt rules flexible enough to address the situation in which wild buffalo travel across the boundaries of Yellowstone National Park into the state of Montana, presenting the potential for infecting Montana livestock with brucellosis and for inflicting property damage to property owned by residents of the state.

Because wild buffalo may range from the park at any time within the year, it is necessary to have a year-around season, and the department shall adopt rules that will provide for drawings, prompt notification of licensees as to when and where they may hunt, and other procedures unique to such a wild buffalo hunt.

It is the intent of the legislature that not more than 10% of the wild buffalo licenses issued be for nonresidents.

HB 770, introduced bill, be amended as follows:

1. Page 2, line 21.

Following: "wildlife"

Insert: "from outside the state"

2. Page 2, line 22.

Strike: "from outside the state"

3. Page 5, line 14.

Following: "department"

Insert: "based upon scientific investigation and upon approval of the commission"

4. Page 7, line 10.

Following: "2"

Insert: "through 6 and 8"

5. Page 7.

Following: line 13

Insert: "(1) Title 80;"

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 770

A statement of intent is required for this bill because section 11 grants rulemaking authority to both the fish and game commission and the department of fish, wildlife, and parks. Section 11 specifies what sections each entity may implement.

It is the intent of the legislature that the department adopt detailed rules pertaining to the procedure for accepting and processing applications for permission to import for introduction, introduce, or transplant wildlife. The department should address information such as names of applicants, species of wildlife, source of obtaining wildlife, purpose for introducing or transplanting, benefit to the public, potential for harm, and processing fee.

It is the intent of the legislature that the commission review proposals for the introduction or transplantation of wildlife species in the state on a case-by-case basis. It is also the intent of the legislature that the department develop a plan for those applications approved by the commission to assure that the population can be controlled if unforeseen harm should occur.

Adverse Committee Reports

HB 191, do not pass.

HB 753, do not pass.

HUMAN SERVICES AND AGING (Keenan, Chairman):

2/18/85

HB 748, introduced bill, be amended as follows:

1. Page 2, line 2.

Following: "Title"

Strike: "20"

Insert: "53"

Following: "chapter"

Strike: "53"

Insert: "20"

Following: "part"

Strike: "1"

Insert: "3"

And, as amended, do pass. Report adopted.

JUDICIARY (Hannah, Chairman):

2/19/85

HB 717, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "MAY"

Following: "AWARDED"

Strike: ","

Following: "PREFERENCE"

Strike: " , ONLY" through "IT" on line 7

2. Page 3, line 4.

Following: "~~disputes~~"

Strike: "it" through "child" on line 5

Insert: "the court finds joint custody in the best interests of the children in the case then before the court. The intent of 40-4-222 through 40-4-225 is to establish certain guidelines for resolution of custody disputes"

3. Page 3, line 15.

Following: "~~or~~"

Strike: "upon" through "parents"

And, as amended, do pass. Report adopted.

HB 738, introduced bill, be amended as follows:

1. Page 7, line 8.

Following: "administrator of"

Strike: "one of"

Following: "the"

Insert: "same type of"

2. Page 7, line 10.

Strike: "facilities"

Insert: "facility"

3. Page 7, line 25.

Following: "chairman"

Insert: " , "

4. Page 8, line 1.

Following: "claim"

Insert: " , "

5. Page 8, line 4.

Strike: "and"

Insert: "or"

And, as amended, do pass. Report adopted.

HB 744, do pass. Report adopted.

HB 779, do pass. Report adopted.

HB 790, do pass. Report adopted.

HB 803, introduced bill, be amended as follows:

1. Page 1.

Following: line 23

Insert: "(4) A juror who is excused from attendance upon his own motion on the first day of his appearance in obedience to notice or who has been summoned as a special juror and not sworn in the trial of the case shall forfeit per diem and mileage."

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 40, do not pass.

HB 521, do not pass.

HB 760, do not pass.

STATE ADMINISTRATION (Sales, Chairman):

2/19/85

HB 739, introduced bill, be amended as follows:

1. Title, line 12.

Strike: "INCREASING BOND REQUIREMENTS;"

2. Page 3, line 8.

Strike: "contract"

3. Page 3, line 15.

Following: "standards."

Insert: "The rules adopted by the board must conform with rules adopted by the department of health and environmental sciences that pertain to the location, construction, and sanitary protection of water wells."

4. Page 9, line 25.

Strike: "\$10,000"

Insert: "\$4,000,"

5. Page 10, lines 3 through 8.

Following: "~~well~~." on line 3

Strike: remainder of line 3 through "." on line 8

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 739

A statement of intent is required for this bill because the bill amends 37-43-202 to require the board of water well contractors to adopt rules for specific water well construction standards. It is intended that any existing standards be substantially reviewed, modified, and incorporated into the new standards. It is further intended that the new standards should be modeled after the existing water well construction standards adopted by the Montana well drillers association and the United States environmental protection agency.

HB 747, do pass. Report adopted.

HB 754, do pass. Report adopted.

HB 774, introduced bill, be amended as follows:

1. Title, line 8.

Following: "MCA"

Insert: "; AND PROVIDING AN APPLICABILITY DATE"

2. Page 4.

Following: line 1

Insert: "NEW SECTION. Section 5. Applicability. This act applies retroactively, within the meaning of 1-2-109, to service performed after July 31, 1984."

And, as amended, do pass. Report adopted.

HB 775, do pass. Report adopted.

HB 778, introduced bill, be amended as follows:

1. Title, line 7.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 3, line 7.

Strike: "division of"

Insert: "office of the"

Following: "compensation"

Insert: "judge"

3. Page 3.

Following: line 13

Insert: "NEW SECTION. Section 5. Effective date. This act is effective on passage and approval."

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 900, introduced by Hart, D. Brown, Gilbert, Poff, (By Request of the House Local Government Committee). Referred to Committee on Local Government.

HB 901, introduced by D. Brown. Referred to Committee on Business and Labor.

HB 902, introduced by Donaldson. Referred to Committee on Education and Cultural Resources.

HB 903, introduced by Wallin, Halligan, J. Brown, Darko, Bergene, Nathe, D. Brown. Referred to Committee on Human Services and Aging.

HB 904, introduced by Winslow, Miller, Donaldson. Referred to Committee on Appropriations.

HJR 34, introduced by Asay, Keller, Hayne, Wallin, Rapp-Svrcek, Ellison, Cody, Donaldson, Menahan, Holliday, Grady. Referred to Committee on Agriculture.

HJR 35, introduced by D. Brown, Krueger, Nisbet, Pavlovich, Fritz, Hannah, Spaeth, Driscoll, Garcia, Harrington, Addy, Quilici, Kitselman, Rehberg, Winslow, Iverson, Bengtson, Keenan, Menahan, Simon, Ramirez, Marks, Vincent, Miles, Lynch, Jacobson, Glaser, Cohen, Sands, Stimatz, Towe. Referred to Committee on Business and Labor.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Winslow in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Hannah excused at this time.

Representative Pavlovich present at this time.

HB 730 - That HB 730 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Connelly, Darko, Devlin, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Sands, Schultz, Schye, Spaeth, Switzer, Thoft, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 83

Noes: Compton, Donaldson, Ellerd, Glaser, Hannah, Hanson, Jenkins, Jones, J.K. Moore, Nelson, Rehberg, Sales, Simon, Swift, Thomas.

Total 15

Paired: Harper, Aye; Hannah, No.

Excused: Smith.

Total 1

Absent or not voting: Williams.

Total 1

HB 736 - That HB 736 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Hannah, Smith.

Total 2

Absent or not voting: Devlin, Schye.

Total 2

HB 745 - That HB 745 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Devlin, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Hammond, Hanson, Harbin, Harp, Harper, Harrington, Hart, Kadas, Keenan, Kitselman, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Raney, Ream, Sands, Schye, Simon, Spaeth, Waldron, Williams, Winslow, Mr. Speaker.

Total 58

Noes: Asay, Brandewie, Campbell, Cobb, Compton, Donaldson, Ellerd, Glaser, Gould, Grady, Hand, Hansen, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Koehnke, Marks, Mercer, Miller, J.K. Moore, Nathe, Phillips, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Sales, Schultz, Swift, Switzer, Thoft, Thomas, Wallin, Zabrocki.

Total 40

Excused: Hannah, Smith.

Total 2

Absent or not voting: None.

Total 0

Representative Hannah present at this time.

HB 746 - That HB 746 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Smith.

Total 1

Absent or not voting: Harrington, Sands.

Total 2

HB 831 - That HB 831 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Driscoll, Montayne.

Total 2

Excused: Smith.

Total 1

Absent or not voting: Hanson, Marks, O'Connell.

Total 3

HB 301 - Representative Bradley moved that consideration of HB 301 be passed for the day. Motion carried.

HJR 28 - That HJR 28 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gould, Grady, Hammond, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sands, Schultz, Schye, Simon, Spaeth, Thomas, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 76

Noes: Brandewie, Campbell, Devlin, Ellerd, Gilbert, Glaser, Hand, Hannah, Harp, Hayne, Jones, Marks, J.K. Moore, Nelson, Phillips, Ramirez, Rehberg, Sales, Swift, Switzer, Thoft, Wallin.

Total 22

Excused: Smith.

Total 1

Absent or not voting: Ellison.

Total 1

HB 18 - Representative Donaldson moved that consideration of HB 18 be passed for the day for the purpose of a revised fiscal note. Motion carried.

HB 71 - Representative Sands moved that consideration of HB 71 be passed for the day because it is a companion bill to HB 18. Motion carried.

HB 160 - That HB 160 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Smith.

Total 1

Absent or not voting: Harrington, Kennerly, Marks.

Total 3

Representative Smith present at this time.

HB 423 - That HB 423 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Peck, Peterson, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 90

Noes: Cobb, Hansen, O'Connell, Phillips, Pistoria, Ramirez.

Total 6

Excused: None.

Total 0

Absent or not voting: Kadas, Keyser, Marks, Pavlovich.

Total 4

HB 435 - Representative J. Brown moved that HB 435 be placed below HB 731. Motion carried.

HB 473 - Representative Pavlovich moved that HB 473, second reading copy, be amended as follows:

1. Page 17, line 6.

Strike: "five"

Insert: "10"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Compton, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 82

Noes: Campbell, Cody, Cohen, Donaldson, Hansen, Harper, Kadas, Keenan, Miles, Poff, Ramirez, Raney, Rapp-Svrcek, Schye.

Total 14

Excused: None.

Total 0

Absent or not voting: Bergene, Connelly, Harrington, Mercer.

Total 4

That HB 473, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Asay, D. Brown, Devlin, Driscoll, Ellerd, Ellison, Ernst, Hannah, Hansen, Hanson, Harp, Harrington, Hart, Hayne, Howe, Jenkins, Jones, Kennerly, Keyser, Kitselman, Koehnke, McCormick, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Winslow, Zabrocki.

Total 53

Noes: Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Donaldson, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Harbin, Harper, Holliday, Iverson, Kadas, Keenan, Keller, Krueger, Lory, Manuel, Marks, Miles, Nelson, O'Hara, Ramirez, Rapp-Svrcek, Ream, Rehberg, Schye, Thomas, Waldron, Williams, Mr. Speaker.

Total 46

Excused: None.

Total 0

Absent or not voting: Connelly.

Total 1

HB 491 - That HB 491 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: Pistoria.

Total 1

Excused: None.

Total 0

Absent or not voting: Connelly, Fritz, Kadas, Menahan, Pavlovich, Rapp-Svrcek, Ream, Switzer.

Total 8

HB 539 - That HB 539 do pass. Motion carried as follows:

Ayes: Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Connelly, Darko, Devlin, Driscoll, Eudaily, Fritz, Gould, Hammond, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, Pavlovich, Peck, Pistoria, Quilici, Ream, Schultz, Schye, Simon, Switzer, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 52

Noes: Abrams, Addy, Asay, Bardanouve, Campbell, Cobb, Cody, Cohen, Compton, Donaldson, Ellerd, Ellison, Ernst, Garcia, Gilbert, Glaser, Grady, Hand, Hannah, Hansen, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Koehnke, Mercer, J.K. Moore, Nathe, O'Connell, O'Hara, Patterson, Peterson, Phillips, Poff, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Smith, Spaeth, Swift, Thoft, Thomas, Wallin.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 549 - That HB 549 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser,

Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Cody.

Total 1

Excused: None.

Total 0

Absent or not voting: Harrington, McCormick.

Total 2

HB 568 - That HB 568 do pass. Motion carried as follows:

Ayes: Asay, Bergene, Bradley, Brandewie, D. Brown, Cobb, Compton, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gould, Grady, Hannah, Hanson, Harp, Hart, Hayne, Iverson, Keller, Kennerly, Keyser, Kitselman, Lory, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Sands, Smith, Spaeth, Swift, Switzer, Thoft, Williams, Winslow, Zabrocki.

Total 57

Noes: Abrams, Addy, Bachini, Bardanouve, J. Brown, Campbell, Cody, Cohen, Connelly, Darko, Fritz, Gilbert, Glaser, Hammond, Hand, Hansen, Harbin, Harper, Holliday, Howe, Jenkins, Jones, Kadas, Keenan, Koehnke, Krueger, McCormick, Miles, J. Moore, Nisbet, Peck, Poff, Raney, Ream, Sales, Schultz, Schye, Simon, Thomas, Waldron, Wallin, Mr. Speaker.

Total 42

Excused: None.

Total 0

Absent or not voting: Harrington.

Total 1

HB 634 - That HB 634 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Brandewie, Hansen, Harp, J.K. Moore, O'Connell.
Total 5

HB 642 - Representative Kadas moved that HB 642, second reading copy, be amended. Amendment failed. (46-51)

That HB 642 do pass. Motion failed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Ellerd, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Nathe, Peck, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Schye, Spaeth, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 48

Noes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Marks, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Ramirez, Rehberg, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin.
Total 51

Excused: None.
Total 0

Absent or not voting: Koehnke.
Total 1

That HB 642 do not pass. Motion carried as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Marks, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Ramirez, Rehberg, Sands, Schultz, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Zabrocki.
Total 51

Noes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Ellerd, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Keyser, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Peck, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Schye, Simon, Spaeth, Waldron, Williams, Winslow, Mr. Speaker.
Total 49

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 660 - That HB 660 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan,

Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 89

Noes: Cohen, Hansen, Harbin, Harper, Peck, Sales, Sands, Thoft.
Total 8

Excused: None.
Total 0

Absent or not voting: Bardanouve, Kadas, Miles.
Total 3

HB 682 - That HB 682 do pass. Motion failed as follows:

Ayes: Addy, Bardanouve, Bradley, Cobb, Cody, Cohen, Connelly, Darko, Driscoll, Ellison, Fritz, Garcia, Hammond, Hansen, Harbin, Harper, Harrington, Hart, Kadas, Keenan, Krueger, McCormick, Menahan, Miles, Montayne, J. Moore, Nisbet, O'Connell, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 42

Noes: Abrams, Asay, Bachini, Bergene, Brandewie, D. Brown, J. Brown, Campbell, Compton, Devlin, Donaldson, Ellerd, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin.
Total 58

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 682 do not pass. Motion carried as follows:

Ayes: Abrams, Asay, Bachini, Bergene, Brandewie, D. Brown, J. Brown, Campbell, Compton, Devlin, Donaldson, Ellerd, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.
Total 60

Noes: Addy, Bardanouve, Bradley, Cobb, Cody, Cohen, Connelly, Darko, Driscoll, Ellison, Fritz, Garcia, Hammond, Hansen, Harbin, Harper, Harrington, Hart, Kadas, Keenan, Krueger, Menahan, Miles, Montayne, J. Moore, Nisbet, O'Connell, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.
Total 40

Excused: None.
Total 0

Absent or not voting: None.

Total 0

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Winslow moved the adoption of the committee report. Report adopted. (88-9)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 54 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Bardanouve, Cohen, Fritz, Keenan, Peck.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 164 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Cobb, Cody, Cohen, Connelly, Darko, Devlin, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Kadas, Keenan, Kennerly, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Phillips, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Sands, Schye, Spaeth, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 70

Noes: Asay, D. Brown, Campbell, Compton, Ellerd, Ellison, Gilbert, Harbin, Hayne, Jenkins, Jones, Keller, Keyser, Kitselman, Marks, J. Moore, Nathe, Patterson, Peterson, Poff, Ramirez, Rehberg, Sales, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas.

Total 30

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 210 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hayne, Holliday, Howe, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 84

Noes: Abrams, Asay, D. Brown, Campbell, Devlin, Driscoll, Hart, Iverson, Jones, J.K. Moore, Nathe, Pavlovich, Pistoria, Smith, Thoft.

Total 15

Excused: None.

Total 0

Absent or not voting: Poff.

Total 1

HB 239 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Gould, Hannah, Hansen, Jones, Keyser, J. Moore, Smith.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 354 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Ellerd, Eudaily, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, Menahan, Mercer, Miles, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peterson, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 77

Noes: Asay, Cobb, Connelly, Driscoll, Ellison, Ernst, Fritz, Gould, Hannah, Hansen, Hanson, Harrington, Kadas, Keyser, McCormick, Manuel, Marks, Miller, J.K. Moore, O'Connell, Peck, Phillips, Pistoria.
Total 23

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 431 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Eller, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 442 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Eller, Ernst, Eudaily, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Kennerly, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 80

Noes: Asay, D. Brown, Campbell, Ellison, Fritz, Garcia, Gilbert, Harbin, Hayne, Jones, Keller, Kitselman, Marks, Montayne, J.K. Moore, Nelson, Peck, Peterson, Raney, Smith.
Total 20

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 496 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Darko, Driscoll, Ellerd, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Spaeth, Switzer, Waldron, Wallin, Williams, Mr. Speaker.

Total 72

Noes: Abrams, Asay, Campbell, Cobb, Devlin, Donaldson, Ellison, Ernst, Glaser, Hannah, Hayne, Jones, Keller, Keyser, Marks, J.K. Moore, Nathe, O'Hara, Patterson, Phillips, Schultz, Simon, Smith, Swift, Thoft, Thomas, Winslow, Zabrocki.

Total 28

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 541 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 594 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift,

Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki,
Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 608 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley,
Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton,
Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst,
Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand,
Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne,
Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly,
Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan,
Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson,
Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips,
Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg,
Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft,
Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Keyser, Lory.

Total 2

HB 622 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley,
Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton,
Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst,
Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand,
Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne,
Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly,
Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks,
Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe,
Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson,
Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream,
Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift,
Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki,
Mr. Speaker.

Total 99

Noes: Cody.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 635 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: Hayne, Keller.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 654 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: Campbell.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 655 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, Nathe, Nelson,

Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: Harbin, J. Moore.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 675 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Ellerd.

Total 1

HB 685 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Campbell, Devlin.

Total 2

HB 687 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 698 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Campbell, Gould, Hand, Koehnke.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 721 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks,

Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Montayne.

Total 1

HB 727 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 86

Noes: Asay, Brandewie, Campbell, Devlin, Harp, Hayne, Jenkins, Keller, Koehnke, Marks, Nathe, Switzer.

Total 12

Excused: None.

Total 0

Absent or not voting: Ellerd, Montayne.

Total 2

HB 755 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Compton.

Total 1

HB 769 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: Hand.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 784 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: Campbell.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 818 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke,

Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Ellison, Keyser, Peck, Poff, Schultz, Simon, Zabrocki.

Total 7

Excused: None.

Total 0

Absent or not voting: Hansen.

Total 1

HJR 1 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanoue, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: Hansen, Ream.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 25 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 85

Noes: Bardanoue, Cohen, Fritz, Harbin, Harper, Hart, Kadas, Keenan, Kennerly, Menahan, Miles, Nisbet, Peck, Raney, Rapp-Svrcek.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/20/85

Correctly printed: HB 729, HB 738, HB 744, HB 747, HB 754, HB 775, HB 777, HB 779, HB 790, HB 803.

Considered correctly engrossed: HB 632, HB 653, HB 700, HB 702, HB 705, HB 706, HB 710, HB 713, HB 746, HB 831.

Correctly engrossed: HB 585, HB 613.

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman):

2/20/85

Adverse Committee Reports

HB 503, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Asay, Bardanouve, Bradley, Brandewie, D. Brown, Cody, Compton, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, J.K. Moore, Nathe, Patterson, Peck, Phillips, Poff, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Simon, Swift, Switzer, Thoft, Wallin, Winslow.

Total 56

Noes: Addy, Bachini, Bergene, J. Brown, Campbell, Cobb, Cohen, Connelly, Darko, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Howe, Kadas, Keenan, Kitselman, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peterson, Pistoria, Quilici, Rapp-Svrcek, Ream, Schye, Smith, Spaeth, Thomas, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 556, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Bergene, Brandewie, D. Brown, Campbell, Cobb, Cody, Cohen, Compton, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Grady, Hand, Hannah, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Montayne, J.K. Moore, J. Moore, Nathe, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 71

Noes: Bachini, Bradley, J. Brown, Connelly, Darko, Fritz, Gould, Hammond, Harper, Howe, Kadas, Keenan, Kitselman, Krueger, Mercer, Miles, Miller, Nelson, Nisbet, O'Hara, Pavlovich, Pistoria, Quilici, Ream, Sales, Schye, Spaeth, Zabrocki.

Total 28

Excused: None.

Total 0

Absent or not voting: Hansen.

Total 1

FISH AND GAME (Ream, Chairman):

2/19/85

HB 764, introduced bill, be amended as follows:

1. Title.

Following: line 4

Insert: "CERTAIN"

2. Title, line 5.

Following: "FROM"

Insert: "WITHIN A SELF-PROPELLED VEHICLE AND FROM"

3. Page 2, line 3.

Following: "department."

Insert: "A disabled person issued a permit under this subsection is entitled to have the department stamp such a permit with "Permission to Hunt From a Vehicle" if the person establishes to the satisfaction of the department that he is permanently physically handicapped and nonambulatory or his mobility is substantially impaired."

4. Page 2, line 5.

Following: "(3)"

Insert: " , upon which is stamped "Permission to Hunt From a Vehicle", "

5. Page 2, line 11.

Following: "motorists"

Insert: "or may hunt by shooting a firearm from within a self-propelled or drawn vehicle parked in an area, not a public highway, where hunting is permitted"

6. Page 2, line 16.

Following: "animal."

Insert: "Any vehicle from which a disabled person is hunting must be conspicuously marked with an orange-colored international symbol of the handicapped on the front, rear, and each side of such vehicle."

And, as amended, do pass. Report adopted.

JUDICIARY (Hannah, Chairman):

2/20/85

Adverse Committee Report

HB 742, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Schye, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Williams.

Total 76

Noes: Bachini, Connelly, Fritz, Gilbert, Glaser, Gould, Hannah, Keyser, Kitselman, Mercer, Miles, Miller, Nelson, O'Hara, Patterson, Peck, Rapp-Svrcek, Sands, Schultz, Simon, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 24

Excused: None.
Total 0

Absent or not voting: None.
Total 0

TAXATION (Devlin, Chairman):

2/20/85

HB 704, introduced bill, be amended as follows:

1. Page 1, line 10.
Following: "7-6-2321"
Insert: ", 15-10-202,"

2. Page 2, line 6.
Following: "on the"
Strike: "second"
Insert: "first"

3. Page 3, line 11.
Following: "on the"
Strike: "second"
Insert: "first"

4. Page 3.
Following: line 22
Insert: "Section 3. Section 15-10-202, MCA, is amended to read:

"15-10-202. Certification of taxable values and millage rates. At the time that the assessment roll is prepared and published, the department of revenue shall certify to each taxing authority the taxable value within the jurisdiction of the taxing authority. The department shall also send to each taxing authority a written statement of its best estimate of the total assessed value of all new construction and improvements not included on the previous assessment roll and the value of deletions from the previous assessment roll. Exclusive of such new construction, improvements, and deletions, and the taxable value of property which was protested under the provisions of 15-8-113 through 15-8-115 and which remains under protest on the first Monday in August of the current year, the department shall certify to each taxing authority a millage rate which will provide the same ad valorem revenue for each taxing authority as was levied during the prior year. For the purpose of calculating the certified millage, the department shall use 95% of the taxable value appearing on the roll, exclusive of properties appearing for the first time on the assessment roll."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

February 20, 1985

Dear Mr. Speaker:

Please be informed that I have signed House bills 9, 34, and 116 on this date.

Sincerely,

Ted Schwinden
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 905, introduced by Bergene, McCallum, H. Hammond, Thayer, Manuel, Miller. Referred to Committee on State Administration.

HB 906, introduced by Kadas. Referred to Committee on Taxation.

HB 907, introduced by Krueger, Miles. Referred to Committee on Human Services and Aging.

HB 908, introduced by Keenan. Referred to Committee on Taxation.

HB 909, introduced by Manuel, (By Request of the House Appropriations Committee). Referred to Committee on Appropriations.

HB 910, introduced by Menahan, Keyser, Blaylock, (By Request of the Committee on Legislative Administration). Referred to Committee on Legislative Administration.

HB 911, introduced by Hannah, D. Brown, (By Request of the House Judiciary Committee). Referred to Committee on Judiciary.

HB 912, introduced by D. Brown, Lory, Ellison, Iverson, Marks, Eck, (By Request of the Environmental Quality Council). Referred to Committee on Natural Resources.

HB 913, introduced by D. Brown, Krueger, Marks, Iverson, Pavlovich, Harrington, Menahan, Keenan, Lory, Cohen. Referred to Committee on Natural Resources.

HB 914, introduced by Hansen. Referred to Committee on Local Government.

HJR 36, introduced by Grady, Hart, Phillips, Ream, Ellison, Jenkins, McCormick, Rapp-Svrcek, Hanson, Montayne, Eudaily, Pavlovich, J. Moore, (By Request of the House Fish and Game Committee). Referred to Committee on Fish and Game.

HJR 37, introduced by Hannah, D. Brown, (By Request of the House Judiciary Committee). Referred to Committee on Judiciary.

The following Senate bill was introduced, read first time, and referred to committee:

SB 48, introduced by Towe, M. Williams, (By Request of the Revenue Oversight Committee). Referred to Committee on Taxation.

MOTIONS

Representative J.K. Moore moved that HB 660 be taken from engrossing and referred to the Committee on Appropriations. Motion carried.

Representative D. Brown moved that HJR 35 be taken from the Committee on Business and Labor and rereferred to the Committee on Natural Resources. Motion carried.

Representative Sales moved that HB 885 be taken from the Committee on State Administration and rereferred to the Committee on Local Government. Motion carried.

Representative Pavlovich moved that HB 473 be taken from engrossing and referred to the Committee on Appropriations. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 10:00 a.m., February 21, 1985.

Motion carried.

House adjourned at 5:20 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

FORTIETH LEGISLATIVE DAY

Helena, Montana
February 21, 1985

House Chambers
State Capitol

House convened at 10:10 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Nathe, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the thirty-ninth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/20/85

Correctly printed: HB 554, HB 717, HB 739, HB 748, HB 763, HB 770, HB 774, HB 778, HB 817.

Considered correctly engrossed: HB 423, HB 491, HB 539, HB 549, HB 730, HB 736, HB 745, HJR 28.

Correctly engrossed: HB 338.

Examined by the sponsor (Harp) and found to be correct: HB 22.

Examined by the sponsor (Miller) and found to be correct: HB 107.

2/21/85

Correctly printed: HB 611, HB 704, HB 760, HB 764.

Considered correctly engrossed: HB 160, HB 568, HB 634, HB 660.

Correctly engrossed: HB 473, HB 720.

Correctly enrolled: HB 22, HB 107, HB 141.

Examined by the sponsor (Manuel) and found to be correct: HB 141.

Delivered to the Governor for his approval at 11:35 a.m., 2/21/85: HB 27, HB 30, HB 81, HB 350.

APPROPRIATIONS (Bardanoue, Chairman): 2/20/85

SB 122, be concurred in. Report adopted.

BUSINESS AND LABOR (Pavlovich, Chairman): 2/20/85

HB 420, introduced bill, be amended as follows:

1. Title, line 8.

Strike: line 8 through "PROVISION;"

2. Page 2, line 22 through page 3, line 8.

Strike: subsection (3) in its entirety

Renumber: subsequent subsection

3. Page 3, line 9.

Following: "the"

Strike: remainder of line 9 through "authority" on line 10

Insert: "federal aviation administration"

And, as amended, do pass. Report adopted.

HB 561, introduced bill, be amended as follows:

1. Title, line 8.

Strike: "REPEALING SECTION 37-31-306, MCA;"

2. Page 8, lines 13 through 19.

Strike: section 7 in its entirety

Renumber: subsequent sections

3. Page 8, line 24 through page 9, line 4.
 Strike: sections 9 and 10 in their entirety
 Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 563, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
 HB 563

A statement of intent is required for this bill because it grants the board of cosmetologists the authority to make rules regarding the practice and teaching of manicuring. Currently Title 37, chapter 31, allows for the licensing of practitioners, teachers, and schools of cosmetology. It is the intent of this bill to license those persons wishing to practice manicuring apart from the practice of cosmetology and to require that only a person who holds a valid license to teach cosmetology may teach manicuring to such persons. It is contemplated that rules adopted by the board should address the following:

- (1) types of programs required for practicing or teaching manicuring or operating a school of manicuring, such as classroom instruction and examination;
- (2) standards for determining programs to be approved for the fulfillment of the requirements, such as adequacy of facilities, qualification of instructors, and course content;
- (3) the number of hours of instruction required;
- (4) the basic content and the passing grade for any examination required;
- (5) preparation of a written application to be filed for examination and practice of manicuring; and
- (6) methods of monitoring compliance.

HB 825, introduced bill, be amended as follows:

1. Page 1, lines 11 and 12.

Following: "nonprofit"

Insert: "organizations exempt from taxation under 15-31-102(1)(a), (1)(b), and (1)(d) through (1)(g), including"

Following: "organizations"

Insert: " , "

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman):

2/20/85

Adverse Committee Report

HB 324, do not pass.

FISH AND GAME (Ream, Chairman):

2/21/85

Adverse Committee Report

HB 191 - Representatives Cobb, Swift, Thomas, Campbell, Hanson, Grady, Jenkins, Ellison, Asay, Ream, Keller, Hayne, Wallin, Jones, C. Smith, Nathe, Glaser, Brandewie, Harp, and Patterson objected to the adverse committee report on HB 191, and requested that the bill be printed and placed on second reading.

2/21/85

JUDICIARY (Hannah, Chairman):

2/20/85

Adverse Committee Report

HB 760 - Representatives Nathe, Darko, Hannah, Keyser, Eudaily, Cobb, Miles, Mercer, Hanson, Sales, Peterson, Devlin, Hayne, Cody, J. Moore, Ellison, Switzer, J.K. Moore, Swift, and Patterson objected to the adverse committee report on HB 760, and requested that the bill be printed and placed on second reading. 2/20/85

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

February 21, 1985

Dear Mr. Speaker:

Please be informed that I have signed House bills 94 and 195 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House: 2/20/85

HB 154, introduced by Pistoria

HB 176, introduced by Bardanouve

Senate bills passed and transmitted to the House for concurrence: 2/20/85

SB 171, introduced by Harding

SB 204, introduced by Mazurek

SB 205, introduced by Christiaens, et al.

SB 244, introduced by McCallum, et al.

SB 250, introduced by Mazurek, et al.

SB 259, introduced by Van Valkenburg, Donaldson

SB 263, introduced by Harding

SB 265, introduced by Mohar

SB 276, introduced by Harding

SB 278, introduced by Boylan

SB 283, introduced by Galt, Neuman

SB 292, introduced by Neuman

SB 300, introduced by Himsl, et al.

SB 301, introduced by Conover, et al.

SB 327, introduced by B. Brown, et al.

SB 373, introduced by Neuman, et al.

SJR 6, introduced by Blaylock, Vincent

SJR 14, introduced by B. Williams, J. Brown, et al.

SJR 18, introduced by Fuller, et al.

MOTIONS

Representative Bradley moved that consideration of HB 301 be passed until the 42nd legislative day for the purpose of a revised fiscal note. Motion carried.

Representative Bergene moved that HB 805 be taken from the Committee on Human Services and Aging and rereferred to the Committee on Appropriations. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Pavlovich in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 384 - Representative Bergene moved that HB 384 do pass. Representative Bergene made a substitute motion that HB 384 be placed below HB 795 for the purpose of amendment. Motion carried.

HB 699 - Representative J. Moore moved that HB 699 do pass. Representative J. Moore made a substitute motion that consideration of HB 699 be passed for the day. Motion carried.

HB 715 - That HB 715 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanoue, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Nathe.

Total 1

Absent or not voting: Eudaily, Hammond, Harbin, Schye.

Total 4

HB 726 - Representative Gould moved that HB 726, second reading copy, be amended as follows:

1. Title, line 11.

Strike: "61-5-206,"

Following: "61-8-402"

Strike: “,”

2. Page 1, line 15 through page 4, line 1.

Strike: section 1 in its entirety

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Nathe.

Total 1

Absent or not voting: Fritz, Harbin, Kadas, Koehnke, McCormick, Pavlovich, Schye.

Total 7

Representative Nathe present at this time.

Representative Gould moved that HB 726, as amended, do pass.

Representative O'Hara made a substitute motion that HB 726, as amended, do not pass. Motion failed as follows:

Ayes: Bachini, Bergene, Bradley, J. Brown, Cohen, Connelly, Ernst, Hansen, Hanson, Harper, Kadas, Keenan, Koehnke, Miles, Miller, O'Connell, O'Hara, Patterson, Peck, Ramirez, Schultz, Schye, Simon, Swift, Thoft, Waldron, Wallin, Winslow, Mr. Speaker.

Total 29

Noes: Abrams, Addy, Asay, Bardanouve, Brandewie, D. Brown, Campbell, Cobb, Cody, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Smith, Spaeth, Switzer, Thomas, Williams, Zabrocki.

Total 71

Excused: None.

Total 0

Absent or not voting: None.

Total 0

That HB 726, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Brandewie, D. Brown, Campbell, Cobb, Cody, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Smith, Spaeth, Switzer, Thomas, Williams, Zabrocki.

Total 72

Noes: Bachini, Bergene, Bradley, J. Brown, Cohen, Connelly, Ernst, Glaser, Hansen, Hanson, Harper, Kadas, Keenan, Koehnke, Miles, Miller, O'Hara, Peck, Ramirez, Schultz, Schye, Simon, Swift, Thoft, Waldron, Wallin, Winslow, Mr. Speaker.

Total 28

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Rapp-Svrcek excused at this time.

HB 731 - That HB 731 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 84

Noes: Bardanouve, Bradley, Campbell, Fritz, Holliday, Iverson, Jones, Manuel, J.K. Moore, Sales, Sands, Smith, Waldron, Winslow.

Total 14

Excused: Rapp-Svrcek.

Total 1

Absent or not voting: Pavlovich.

Total 1

Representative Rapp-Svrcek present at this time.

Representative Harper moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Pavlovich moved the adoption of the committee report. Report adopted. (97-1)

MOTIONS

Representative Harper moved that the House recess until 1:15 p.m. Motion carried.

House recessed at 11:45 a.m.

House reconvened at 1:15 p.m.

Mr. Speaker in the Chair.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Pavlovich in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 435 - Representative J. Brown moved that HB 435, second reading copy, be amended as follows:

1. Page 4.

Following: line 1

Insert: "(4) "Minor surgery" means the performance of surgery with the use of antiseptics and local anesthetics by means of surgical, electrical, or other methods for:

(a) surgical repair of superficial lacerations, abrasions, and lesions and the care incidental thereto; and

(b) removal of foreign bodies located in the superficial layers of skin."

Renumber: subsequent subsections

2. Page 6, line 2.

Strike: "federally controlled substance"

Insert: "drug that requires a prescription from a licensed physician under state or federal law, rule, or regulation"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Smith, Switzer, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.
Total 84

Noes: Bardanouve, Swift, Zabrocki.
Total 3

Excused: None.
Total 0

Absent or not voting: D. Brown, Driscoll, Fritz, Harrington, Iverson, Manuel, Marks, Menahan, Mercer, Schultz, Simon, Spaeth, Thoft.
Total 13

That HB 435, as amended, do pass. Motion failed as follows:

Ayes: Bergene, Bradley, J. Brown, Cohen, Garcia, Grady, Hammond, Hand, Hannah, Hansen, Hayne, Holliday, Howe, Kadas, Keller, Kennerly, McCormick, Miller, Nelson, Pavlovich, Rapp-Svrcek, Schye, Spaeth, Thoft, Thomas, Waldron.
Total 26

Noes: Abrams, Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, Campbell, Cobb, Cody, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Hanson, Harbin, Harp, Harper, Harrington, Hart, Iverson, Jenkins, Jones, Keenan, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 73

Excused: None.

Total 0

Absent or not voting: Connelly.

Total 1

That HB 435, as amended, do not pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, Campbell, Cobb, Cody, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 80

Noes: Bergene, Bradley, J. Brown, Cohen, Garcia, Hammond, Hand, Howe, Kadas, Kennerly, McCormick, Miller, Nelson, Rapp-Svrcek, Thoft, Thomas, Waldron.

Total 17

Excused: None.

Total 0

Absent or not voting: Connelly, Ellison, Hansen.

Total 3

HB 737 - That HB 737 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Donaldson.

Total 1

HB 795 - That HB 795 do pass. Motion failed as follows:

Ayes: Bergene, Campbell, Cobb, Cody, Compton, Ellison, Eudaily, Fritz, Gould, Hannah, Harbin, Iverson, Keenan, Kennerly, Marks, Miles, J. Moore, Nisbet, O'Hara, Peck, Ream, Sands, Schye, Zabrocki.

Total 24

Noes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cohen, Darko, Devlin, Driscoll, Ellerd, Ernst, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hansen, Hanson, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Jenkins, Jones, Kadas, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miller, Montayne, J.K. Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 74

Excused: None.

Total 0

Absent or not voting: Connelly, Donaldson.

Total 2

That HB 795 do not pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cohen, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Bergene, Campbell, Cobb, Cody, Compton, Eudaily, Fritz, Gould, Hannah, Kennerly, Peck, Sands, Schye.

Total 13

Excused: None.

Total 0

Absent or not voting: Asay, Donaldson, Miller, Zabrocki.

Total 4

HB 384 - Representative Bergene moved that HB 384, second reading copy, be amended as follows:

1. Page 2, line 14.

Following: "(ii)"

Insert: "the owner or"

Following: "of"

Insert: "each parcel of"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Brandewie, Fritz.

Total 2

Excused: None.

Total 0

Absent or not voting: Donaldson, Patterson.

Total 2

That HB 384, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Darko, Driscoll, Ellerd, Ellison, Fritz, Garcia, Glaser, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Holliday, Howe, Jones, Kadas, Keenan, Kennerly, Krueger, Lory, Manuel, Marks, Menahan, Miles, Miller, Montayne, Nisbet, O'Connell, O'Hara, Peck, Peterson, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Spaeth, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 63

Noes: Asay, Brandewie, Campbell, Compton, Devlin, Ernst, Eudaily, Gilbert, Gould, Grady, Harp, Hayne, Iverson, Jenkins, Keller, Keyser, Kitselman, Koehnke, McCormick, Mercer, J.K. Moore, J. Moore, Nathe, Nelson, Patterson, Pavlovich, Phillips, Pistoria, Poff, Schultz, Smith, Swift, Switzer, Thoft, Thomas, Zabrocki.

Total 36

Excused: None.

Total 0

Absent or not voting: Donaldson.

Total 1

HB 366 - That HB 366 do pass. Motion carried as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, McCormick, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Peterson, Phillips, Pistoria, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 51

Noes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond,

Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, Pavlovich, Peck, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.
Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 26 - That HJR 26 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Cohen, Compton, Connelly, Darko, Driscoll, Fritz, Garcia, Gilbert, Gould, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Howe, Iverson, Kadas, Kennerly, Kitselman, Koehnke, Krueger, McCormick, Manuel, Menahan, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Peck, Phillips, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.
Total 54

Noes: Abrams, Asay, Brandewie, Campbell, Cobb, Cody, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Glaser, Grady, Hannah, Hanson, Hayne, Holliday, Jenkins, Jones, Keenan, Keller, Keyser, Lory, Marks, Mercer, J.K. Moore, Nathe, Patterson, Pavlovich, Peterson, Poff, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.
Total 45

Excused: None.

Total 0

Absent or not voting: D. Brown.

Total 1

HJR 27 - That HJR 27 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Driscoll, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schye, Simon, Smith, Switzer, Thomas, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 80

Noes: Devlin, Donaldson, Iverson, Lory, Marks, J.K. Moore, O'Hara, Peterson, Sales, Schultz, Spaeth, Swift, Thoft, Wallin.

Total 14

Excused: None.

Total 0

Absent or not voting: Asay, Ellerd, Ellison, Ernst, Hansen, Quilici.

Total 6

HJR 32 - That HJR 32 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Harbin, Kadas, Raney, Sales.

Total 4

Excused: None.

Total 0

Absent or not voting: Asay.

Total 1

HB 18 - Representative Donaldson moved that consideration of HB 18 be passed for the day due to lack of a fiscal note. Motion carried.

HB 71 - Representative Sands moved that consideration of HB 71 be passed for the day because it is a companion bill to HB 18. Motion carried.

HB 447 - That HB 447 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Sands, Schultz, Schye, Simon, Spaeth, Switzer, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 80

Noes: Cobb, Devlin, Driscoll, Ellerd, Ellison, Garcia, Hammond, Hart, Hayne, Keyser, Montayne, Nisbet, Raney, Ream, Sales, Smith, Swift, Thoft.

Total 18

Excused: None.

Total 0

Absent or not voting: Harrington, Kadas.

Total 2

HB 497 - Representative Koehnke moved that HB 497 be placed below HB 694. Motion carried.

HB 554 - That HB 554 do pass. Motion failed as follows:

Ayes: Addy, Bachini, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hand, Hansen, Harbin,

Harper, Harrington, Hart, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Mr. Speaker.
Total 46

Noes: Abrams, Asay, Bergene, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki.
Total 53

Excused: None.
Total 0

Absent or not voting: Bardanouve.
Total 1

That HB 554 do not pass. Motion carried as follows:

Ayes: Abrams, Asay, Bergene, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, Marks, Mercer, Miller, Montayne, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki.
Total 54

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, McCormick, Manuel, Menahan, Miles, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Mr. Speaker.
Total 46

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 694 - Representative Driscoll moved that HB 694, second reading copy, be amended. Amendment failed. (50-50)

That HB 694 do pass. Motion carried as follows:

Ayes: Asay, Bergene, Brandewie, D. Brown, Campbell, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Jones, Keller, Keyser, Kitselman, Lory, Marks, Menahan, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.
Total 52

Noes: Abrams, Addy, Bachini, Bardanouve, Bradley, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Hayne,

Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Kennerly, Koehnke, Krueger, McCormick, Manuel, Miles, Montayne, J. Moore, Nisbet, Peck, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Harrington in the Chair.

HB 497 - Representative Koehnke moved that HB 497, second reading copy, be amended as follows:

1. Title, lines 4 through 8.

Following: "TO"

Strike: "REMOVE" through "TO" on line 8

2. Page 2, line 12.

Strike: "may"

Insert: "shall"

3. Page 2, lines 23 and 24.

Strike: "UNLESS" through "EXIST"

Insert: ". This exception does not apply when"

4. Page 3, line 5.

Strike: " "

Insert: ";

5. Page 3, line 21.

Following: "SECTION."

Insert: "(c)"

Amendment passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Asay, Krueger, Pavlovich.

Total 3

Representative Pavlovich in the Chair.

That HB 497, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Asay, Bardanouve, Cody, Mercer.

Total 4

HB 712 - That HB 712 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: Cohen, Gilbert, Hansen, Hayne, Nathe, Switzer, Wallin.

Total 7

Excused: None.

Total 0

Absent or not voting: Asay, Pistoria.

Total 2

HB 717 - That HB 717 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream,

Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Connelly.

Total 1

HB 722 - That HB 722 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Campbell, Switzer.

Total 2

Excused: None.

Total 0

Absent or not voting: Connelly, Ellison, Hanson, Koehnke, Waldron.

Total 5

HB 729 - That HB 729 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Cohen.

Total 1

Excused: None.

Total 0

Absent or not voting: Connelly, Jones, Nathe, Waldron.

Total 4

Representative Nathe excused at this time.

HB 738 - That HB 738 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: D. Brown, Darko, Hansen.

Total 3

Excused: Nathe.

Total 1

Absent or not voting: None.

Total 0

HB 739 - That HB 739 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Darko, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Krueger, Lory, McCormick, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nelson, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 82

Noes: Campbell, Connelly, Devlin, Ernst, Keyser, Koehnke, Manuel, Marks, J.K. Moore, Patterson, Spaeth, Swift, Switzer, Zabrocki.

Total 14

Excused: Nathe.

Total 1

Absent or not voting: Harper, Nisbet, Ramirez.

Total 3

Representative Nathe present at this time.

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Pavlovich moved the adoption of the committee report. Report adopted. (95-2)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 338 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: Connelly, Hannah, Hansen, Kadas, Marks, Ramirez, Rehberg, Sales, Spaeth.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 423 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 86

Noes: Asay, Cobb, Devlin, Hansen, Harrington, Kadas, Keyser, J.K. Moore, O'Connell, O'Hara, Phillips, Pistoria, Spaeth.

Total 13

Excused: None.

Total 0

Absent or not voting: Cohen.

Total 1

HB 491 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift,

Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: Connelly.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 507 passed as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, McCormick, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Peterson, Phillips, Pistoria, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 51

Noes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, Pavlovich, Peck, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 539 failed to pass as follows:

Ayes: Addy, Bachini, Bradley, D. Brown, J. Brown, Cohen, Darko, Driscoll, Eudaily, Fritz, Gould, Hammond, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Keenan, Kennerly, Kitselman, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Mr. Speaker.

Total 47

Noes: Abrams, Asay, Bardanouve, Bergene, Brandewie, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Garcia, Gilbert, Glaser, Grady, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Koehnke, Marks, Mercer, J.K. Moore, Nathe, O'Hara, Patterson, Peterson, Phillips, Poff, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki.

Total 51

Excused: None.

Total 0

Absent or not voting: Connelly, Kadas.

Total 2

HB 544 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: Swift.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 549 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: Harbin.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 558 passed as follows:

Ayes: Asay, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Lory, McCormick, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Peterson, Phillips, Poff, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 60

Noes: Abrams, Addy, Bachini, Bardanouve, Cobb, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Hammond, Hansen, Harbin, Harper, Harrington, Hart, Kadas, Keenan, Koehnke, Krueger, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, Pavlovich, Peck, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Switzer, Waldron, Williams, Zabrocki.

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 564 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 577 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 585 passed as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Addy, D. Brown, Hansen, Keenan, Krueger, Miles, Pavlovich, Spaeth.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 613 passed as follows:

Ayes: Abrams, Asay, Bardanouve, Bergene, Brandewie, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Lory, Manuel, Marks, Mercer, Miller, Montayne, J.K. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki.

Total 73

Noes: Addy, Bachini, Bradley, D. Brown, J. Brown, Cohen, Connelly, Darko, Driscoll, Garcia, Hammond, Hansen, Harper, Kadas, Keenan, Koehnke, Krueger, McCormick, Menahan, Miles, J. Moore, Nisbet, Peck, Poff, Rapp-Svrcek, Waldron, Mr. Speaker.

Total 27

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 631 passed as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Bergene, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Pavlovich,

Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki.

Total 88

Noes: Bachini, Bradley, Cohen, Glaser, Hansen, Nisbet, Patterson, Peck, Rapp-Svrcek, Ream, Spaeth, Mr. Speaker.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 646 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 88

Noes: Devlin, Ellerd, Ernst, Hannah, Hanson, Harbin, Keyser, Marks, Sales, Schultz.

Total 10

Excused: None.

Total 0

Absent or not voting: Asay, O'Hara.

Total 2

HB 653 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 90

Noes: D. Brown, Fritz, Garcia, Hanson, Howe, Keyser, Patterson, Peck, Rapp-Svrcek.

Total 9

Excused: None.

Total 0

Absent or not voting: Williams.

Total 1

HB 700 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: Rapp-Svrcek.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 702 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Gould, Hansen, Waldron.

Total 3

HB 705 passed as follows:

Ayes: Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici,

Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Abrams, Bardanouve, Hansen.

Total 3

Excused: None.

Total 0

Absent or not voting: Compton.

Total 1

HB 706 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Rapp-Svrcek, Ream, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: Asay, Campbell, Devlin, Ellerd, Hayne, Howe, Keller, Ramirez, Raney, Rehberg, Sales, Spaeth, Wallin.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 710 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 86

Noes: Abrams, Campbell, Cobb, Compton, Devlin, Ellison, Gilbert, Hayne, Jenkins, Keyser, Peck, Sales, Switzer, Thomas.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 713 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 730 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Darko, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sands, Schultz, Schye, Smith, Spaeth, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 84

Noes: Campbell, Compton, Devlin, Donaldson, Ellerd, Ellison, Hannah, Jones, J.K. Moore, Nelson, Ramirez, Rehberg, Sales, Simon, Swift, Switzer.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 736 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria,

Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: Campbell.

Total 1

Excused: None.

Total 0

Absent or not voting: Hansen.

Total 1

HB 745 failed to pass as follows:

Ayes: Bachini, Bardanouve, Bergene, Bradley, J. Brown, Cody, Cohen, Connelly, Devlin, Driscoll, Eudaily, Fritz, Garcia, Gilbert, Hammond, Hand, Hanson, Harbin, Harp, Harper, Harrington, Hart, Kadas, Keenan, Kitselman, Krueger, Lory, McCormick, Manuel, Menahan, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Ream, Sands, Schye, Simon, Spaeth, Waldron, Williams, Mr. Speaker.

Total 50

Noes: Abrams, Addy, Asay, Brandewie, D. Brown, Campbell, Cobb, Compton, Darko, Donaldson, Ellerd, Ellison, Ernst, Glaser, Gould, Grady, Hannah, Hansen, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Koehnke, Marks, Mercer, Miles, Miller, J.K. Moore, Nathe, Patterson, Peterson, Phillips, Ramirez, Rapp-Svrcek, Rehberg, Sales, Schultz, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki.

Total 50

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 746 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Hansen.

Total 1

HB 831 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 97

Noes: Harp, Montayne.

Total 2

Excused: None.

Total 0

Absent or not voting: Marks.

Total 1

HJR 28 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sands, Schultz, Schye, Simon, Spaeth, Thoft, Thomas, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 80

Noes: Campbell, Devlin, Donaldson, Ellerd, Hannah, Hayne, Jones, Marks, J.K. Moore, Nelson, Phillips, Ramirez, Rehberg, Sales, Smith, Swift, Switzer, Wallin.

Total 18

Excused: None.

Total 0

Absent or not voting: Glaser, Montayne.

Total 2

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/21/85

Correctly printed: HB 191, HB 420, HB 561, HB 825.

Correctly enrolled: HB 233, HJR 17.

Examined by the sponsor (Grady) and found to be correct: HB 233.

Examined by the sponsor (Schultz) and found to be correct: HJR 17.

Signed by the Speaker at 2:00 p.m., 2/21/85: HB 13, HB 194, HB 316, HR 2.

Signed by the Speaker at 2:15 p.m., 2/21/85: HB 22, HB 107, HB 141.

Signed by the Speaker at 2:30 p.m., 2/21/85: HB 233, HJR 17.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Schultz, Chairman):

2/21/85

HJR 34, introduced bill, be amended as follows:

1. Page 1, line 23.
Following: "cropland"
Strike: remainder of line 23 through "treatment" on line 24
Insert: "and allowing the deduction"
2. Page 1, line 25.
Strike: "deductible"
3. Page 2, line 1.
Strike: "ordinary"
Insert: "nonagricultural"
4. Page 2, line 2.
Strike: "program assistance"
Insert: "programs, including federal crop insurance programs,"
5. Page 2, line 17.
Following: "provisions"
Insert: "and federal farm programs, including crop insurance,"
6. Page 2, line 18.
Following: "cropland."
Strike: remainder of lines 18 through 24

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Pavlovich, Chairman):

2/20/85

HB 707, introduced bill, be amended as follows:

1. Title, line 6.
Following: "REVISING"
Insert: "AND PROVIDING"
2. Title, line 8.
Following: "UNAVAILABLE;"
Insert: "PROVIDING FOR RECIPROCAL LICENSING OF PLUMBERS LICENSED IN OTHER STATES; REVISING THE LICENSE DISCIPLINE LAW; PROVIDING THAT A VIOLATION OF PROVISIONS OF TITLE 37, CHAPTER 69, IS A MISDEMEANOR;"
3. Title, line 9.
Following: "37-69-102,"
Strike: "AND"
Following: "37-69-301,"
Insert: "AND 37-69-324,"
Following: "MCA"
Insert: "AND REPEALING SECTION 37-69-321, MCA"
4. Page 2, line 10.
Following: "(7)"
Insert: "(a)"
Strike: "Plumbing"
Insert: "Except as provided in subsection (7)(b), 'plumbing'"
5. Page 2, line 14.
Following: "appurtenances"

Strike: remainder of line 14 through "line" on line 16

Insert: "within the property lines of any premises,"

6. Page 2, line 17.

Strike: "building"

Insert: "premises"

7. Page 2.

Following: line 17

Insert: "(b) As defined in subsection (7)(a), "plumbing system" does not include water services installed and maintained by water districts or water user associations in which water service is installed by any qualified person appointed or hired by the administrative authority of the water system."

8. Page 3, line 11.

Following: "railroad;"

Strike: ","

Insert: ","

9. Page 3, line 12.

Following: "farms"

Insert: "(c) in a"

Renumber: subsequent subsections

10. Page 3, line 15.

Following: "in"

Strike: "for"

Insert: "in"

11. Page 3, line 22.

Following: "dealer"

Insert: "; and

(g) installation of a water meter by a qualified person appointed by the administrative authority of the water system"

12. Page 4, line 17.

Following: "reasonably"

Insert: "reasonably"

13. Page 4, line 19.

Following: "reasonable"

Insert: "reasonable"

Following: "notice"

Insert: "by certified letter"

14. Page 4, line 20.

Following: "approval,"

Insert: "and upon their approval, or after 30 days from the date of the postmark of the certified letter if the board fails to respond to the certified letter,"

15. Page 4, line 23.

Following: "reasonably"

Insert: "reasonably"

Following: "available"

Insert: "or until the board of plumbers withdraws its authorization"

16. Page 5.

Following: line 2

Insert: "NEW SECTION. Section 5. Plumbers licensed by other states — reciprocity. To the extent that other states that provide for

the licensing of plumbers provide for similar action, the board may grant licenses to plumbers licensed by other states on payment by the applicant of the required fee and on furnishing proof to the board that the applicant has qualifications at least equal to those provided herein for applicants for written examinations. Applicants who qualify for a license under this section are not required to take a written examination. The board has authority to adopt rules necessary to implement this action.

NEW SECTION. Section 6. License discipline. (1) The board may revoke, suspend, restrict, censure, or apply any other disciplinary treatment contemplated by 37-1-136 to any occupational licensee under this chapter for any one or more of the following causes:

- (a) performance of plumbing work in the field of plumbing that is below the standards established by the Uniform Plumbing Code;
 - (b) inadequate supervision that causes or allows plumbing work in the field of plumbing that is below the standards established by the Uniform Plumbing Code;
 - (c) material deceit in procuring, attempting to procure, or aiding and abetting the procurement of an occupational license to practice in the field of plumbing;
 - (d) unfitness to provide services in the field of plumbing by reason of negligence, habit, intemperance, or addiction to the use of habit-forming drugs;
 - (e) physical or mental incompetence which impairs the licensee's ability to deliver adequate service in the field of plumbing;
 - (f) willful or repeated violation of this chapter or rules adopted hereunder or willful or repeated violation of Title 50, chapter 60, part 5, or rules adopted thereunder; or
 - (g) unprofessional practice-related conduct as defined by rules adopted by the board.
- (2) Any licensee disciplinary action under the jurisdiction of the board shall be conducted as a contested case under the provisions of the Montana Administrative Procedure Act.

Section 7. Section 37-69-324, MCA, is amended to read:

"37-69-324. Penalty. A person who works at the field of plumbing or maintains or conducts a plumbing business or an individual who connects or disconnects plumbing from a public water or sewer system in violation of any provisions of this chapter or at a time when he is not exempt from the provisions of this chapter pursuant to the provisions of a duly enacted and subsisting ordinance of a city or town is guilty of a misdemeanor and, upon conviction thereof in any court of competent jurisdiction, ~~shall be punished by a fine of not less than \$10 and not more than \$100 for each separate offense is~~ guilty of a misdemeanor. However, this chapter ~~shall~~ may not be construed to apply to or affect plumbing or pipefitting as indicated in the 37-69-102 exceptions."

NEW SECTION. Section 8. Repealer. Section 37-69-321, MCA, is repealed.

NEW SECTION. Section 9. Codification instruction. Sections 5 and 6 are intended to be codified as an integral part of Title 37, chapter

69, part 3, and the provisions of Title 37, chapter 69, apply to sections 5 and 6."

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 728, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Asay, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Keyser, Kitselman, Koehnke, Manuel, Marks, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Peterson, Phillips, Pistoria, Poff, Ramirez, Rehberg, Sales, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki.

Total 70

Noes: Abrams, Addy, Bachini, Bardanouve, Cody, Cohen, Connelly, Fritz, Garcia, Hammond, Hansen, Harper, Kadas, Kennerly, Krueger, Lory, McCormick, Menahan, Miles, Nisbet, Pavlovich, Peck, Raney, Rapp-Svrcek, Ream, Schye, Waldron, Mr. Speaker.

Total 28

Excused: None.

Total 0

Absent or not voting: Quilici, Sands.

Total 2

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman):

2/20/85

HB 551, introduced bill, be amended as follows:

1. Page 1, line 10.

Following: the first "district"

Insert: "— limitation for creation"

2. Page 1, line 22.

Strike: "24"

Insert: "50"

3. Page 4, line 15.

Following: line 14

Insert: "(8) For the purposes of this section, the taxable value of the taxable property of the territory proposed to be included in the new district must be at least \$500,000."

And, as amended, do pass. Report adopted.

HB 626, introduced bill, be amended as follows:

1. Title, line 5.

Following: "ELECTIONS;"

Insert: "TO REQUIRE PUBLIC NOTICE AND A PUBLIC HEARING PRIOR TO A SCHOOL BOND ELECTION;"

2. Title, line 6.

Strike: "SECTION"

Insert: "SECTIONS 20-9-422 AND"

3. Page 1.

Following: line 9

Insert: "Section 1. Section 20-9-422, MCA, is amended to read:

"20-9-422. Additional requirements for trustees and trustees' resolution calling bond election. (1) In addition to the requirements for calling an election that are prescribed in 20-20-201 and 20-20-203, the trustees' resolution calling a school district bond election shall:

(1)(a) fix the exact amount of the bonds proposed to be issued, which may be more or less than the amounts estimated in a petition;

(2)(b) fix the maximum number of years in which the proposed bonds would be paid; and

(3)(c) in the case of initiation by a petition, state the essential facts about the petition and its presentation.

(2) When the trustees of any district call a school district bond election, they shall:

(a) within 20 days prior to the day of the election, conduct a public hearing on the bond election at a regular or special meeting of the trustees;

(b) provide for a notice of the public hearing required in subsection (2)(a) by a news story or advertisement concerning the hearing and the bond election in a newspaper of general circulation within the school district; and

(c) within 10 days prior to the day of the election, provide for a notice of the election as provided in subsection (2)(b)."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 824, introduced bill, be amended as follows:

1. Page 3, line 21.

Following: "services"

Insert: "exclusively"

2. Page 3, line 24.

Following: "section"

Insert: "if services are performed exclusively for an educational institution. For the purpose of this subsection, reasonable assurance provided for in subsection (2) must be in writing"

And, as amended, do not pass.

FISH AND GAME (Ream, Chairman):

2/21/85

Adverse Committee Report

HB 753, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Addy, Bachini, Bradley, J. Brown, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Garcia, Gilbert, Gould, Hand, Hannah, Hansen, Harrington, Hart, Hayne, Holliday, Howe, Jones, Kadas, Keenan, Keller, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Montayne, J. Moore, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Rapp-Svrcek, Ream, Rehberg,

Smith, Spaeth, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 58

Noes: Abrams, Asay, Bardanouve, Bergene, Brandewie, D. Brown, Campbell, Cobb, Cody, Cohen, Devlin, Ellison, Fritz, Glaser, Grady, Hammond, Hanson, Harbin, Harp, Harper, Jenkins, Kennerly, Keyser, Kitselman, Miller, J.K. Moore, Nathe, Nisbet, O'Hara, Ramirez, Raney, Sales, Schultz, Schye, Simon, Swift, Switzer, Thomas.

Total 38

Excused: None.

Total 0

Absent or not voting: Compton, Iverson, Marks, Sands.

Total 4

HUMAN SERVICES AND AGING (Keenan, Chairman): 2/20/85

HB 540, referred to the committee of the whole without recommendation. Report adopted.

JUDICIARY (Hannah, Chairman): 2/18/85

HB 329, introduced bill, be amended as follows:

1. Title, line 6.

Following: "UNLESS"

Insert: "HE GIVES NOTICE OF THE BASIS FOR FILING A MECHANICS' LIEN TO"

Following: "OWNER"

Strike: "IS" through "OWNER" on line 7

2. Title, line 10.

Strike: "AND"

Following: "MCA"

Insert: "AND PROVIDING AN EFFECTIVE DATE"

3. Page 2.

Following: line 2

Strike: subsection (2) in its entirety

Insert: "(2) (a) Except when materials are delivered at the request of the owner, any person supplying materials for use in constructing an improvement to property, unless he is also performing labor on the improvement, must, within 10 days after the first date of delivery of materials, give the owner of the property written notice of potential lien liability. No mechanics' lien for material furnished may be enforced unless such notice is given. Notice is not required for subsequent deliveries.

(b) The notice shall state, in substance:

(i) that the supplier has commenced to deliver such materials for use of the property;

(ii) the name of the person ordering such materials;

(iii) that a lien may be claimed for all materials furnished after the first date of delivery of materials referred to in subsection (2)(a);

(iv) that payment by the owner or his lender to the contractor does not remove the right of the person furnishing materials to claim a lien unless the person giving the notice is, in fact, paid; and

(v) that further notice to the owner of this or any subsequent delivery is necessary."

4. Page 2.

Following: line 19

Insert: "NEW SECTION. Section 3. Effective date. This act is effective July 1, 1987."

And, as amended, do pass. Report adopted.

HB 781, do pass. Report adopted.

HB 807, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "SECTIONS"

Insert: "SECTION"

Strike: "41-3-202," through "41-3-609," on line 8

2. Page 1.

Following: the enacting clause

Strike: sections 1 and 2 in their entirety

Renumber: subsequent sections

3. Page 5, line 11.

Following: "care"

Strike: "required" through "otherwise" on line 12

Insert: ", including the prevention of the withholding of medically indicated treatment,"

4. Page 5.

Following: line 12

Insert: "(5) "Withholding of medically indicated treatment" means the failure to respond to an infant's life-threatening conditions by providing treatment (including appropriate nutrition, hydration, and medication) that, in the treating physician's or physicians' reasonable medical judgment, will be most likely to be effective in ameliorating or correcting all such conditions. However, the term does not include the failure to provide treatment (other than appropriate nutrition, hydration, or medication) to an infant when, in the treating physician's or physicians' reasonable medical judgment:

(a) the infant is chronically and irreversibly comatose;

(b) the provision of such treatment would:

(i) merely prolong dying;

(ii) not be effective in ameliorating or correcting all of the infant's life-threatening conditions; or

(iii) otherwise be futile in terms of the survival of the infant; or

(c) the provision of such treatment would be virtually futile in terms of the survival of the infant and the treatment itself under such circumstances would be inhumane. For purposes of this subsection, "infant" means an infant less than 1 year of age or an infant 1 year of age or older who has been continuously hospitalized since birth, who was born extremely prematurely, or who has a long-term disability. The reference to less than 1 year of age may not be construed to imply that treatment should be changed or discontinued when an infant reaches 1 year of age or to affect or limit any existing protections available under state laws regarding medical neglect of children over 1 year of age."

Renumber: subsequent subsections

5. Page 7, line 1.

Strike: sections 4 through 10 in their entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 808, do pass. Report adopted.

HB 809, introduced bill, be amended as follows:

1. Title, line 5.

Following: "AN ACT"

Strike: "ELIMINATING"

Insert: "LIMITING"

2. Title, line 7.

Following: "AGENCY"

Strike: "CAUSING AN ARREST"

Insert: "TO SITUATIONS IN WHICH THE STATE AGENCY PROSECUTES THE CHARGE"

3. Page 1, line 19.

Following: "county"

Insert: "agency, state agency,"

4. Page 2, line 9.

Following: "that"

Insert: ":",

5. Page 2.

Following: line 9

Insert: "(a)"

6. Page 2, line 13.

Following: "and"

Insert: "; and"

7. Page 2, line 17.

Following: "arrest"

Strike: ":",

Insert: "(b) when there has been an arrest by agents of the department of fish, wildlife, and parks or agents of the department of justice and the charge is prosecuted by personnel of the state agency that made the charge, the expense must be borne by the prosecuting state agency."

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 40, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Darko, Donaldson, Driscoll, Ellerd, Ernst, Fritz, Garcia, Gilbert, Hammond, Hand, Hannah, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Schye, Smith, Spaeth, Waldron, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 68

Noes: Asay, Brandewie, Campbell, Devlin, Ellison, Eudaily, Glaser, Gould, Harp, Iverson, Keyser, Kitselman, J.K. Moore, Nathe, Nelson, O'Hara,

Patterson, Phillips, Ramirez, Rehberg, Schultz, Simon, Swift, Switzer, Thoft, Thomas, Winslow.

Total 27

Excused: None.

Total 0

Absent or not voting: Connelly, Grady, Hansen, Pistoria, Sands.

Total 5

HB 363, introduced bill, be amended as follows:

1. Page 1, line 19.

Following: "damages"

Strike: ":" through "(c)" on line 23

2. Page 1, line 24.

Following: "damages"

Strike: "beyond" through "case" on page 2, line 1

Insert: "by clear and convincing evidence"

3. Page 2.

Following: line 7

Strike: subsection (4) in its entirety

And, as amended, do not pass.

HB 363 - Representatives Mercer, Ramirez, Keyser, Hannah, Eudaily, Iverson, O'Hara, Bergene, Cobb, J.K. Moore, Swift, Marks, Thomas, Nathe, Rehberg, Nelson, Kitselman, Gilbert, Compton, Jenkins, and Switzer objected to the adverse committee report on HB 363, and requested that the bill be printed and placed on second reading.

2/21/85

HB 521, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Asay, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Glaser, Hand, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miles, Miller, Montayne, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Switzer, Thoft, Thomas, Waldron, Williams, Zabrocki.

Total 71

Noes: Addy, Bachini, Cohen, Connelly, Darko, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hannah, Harp, Kitselman, Mercer, J.K. Moore, Nelson, Patterson, Peck, Ramirez, Spaeth, Swift, Wallin, Winslow, Mr. Speaker.

Total 25

Excused: None.

Total 0

Absent or not voting: Hansen, Keyser, Poff, Sands.

Total 4

NATURAL RESOURCES (Iverson, Chairman):

2/20/85

HB 680, introduced bill, be amended as follows:

1. Title.

Following: line 15

Strike: "75-20-216,"

Following: "75-20-303"

Strike: "75-20-304,"

2. Page 3, line 11.

Following: "[section]"

Strike: "14"

Insert: "12"

3. Page 3, line 13.

Following: "[section]"

Strike: "14"

Insert: "12"

4. Page 5, line 24.

Following: "[section]"

Strike: "14"

Insert: "12"

5. Page 8, line 4.

Strike: "under 85-2-311"

6. Page 8, line 23.

Following: "[section]"

Strike: "14"

Insert: "12"

7. Page 13, lines 21 and 22.

Strike: "Based upon the criteria listed in 85-2-311, the"

Insert: "The"

8. Page 13, line 24.

Following: "necessary"

Insert: "to satisfy the criteria listed in 85-2-311"

9. Page 24, line 7.

Strike: "protect the rights of other persons and"

10. Page 25, line 21.

Following: "dams,"

Insert: "pipelines,"

11. Page 25, line 25.

Following: "facility"

Insert: "or a natural gas or crude oil gathering line 17 inches or less in diameter"

12. Page 27, lines 13 through 16.

Following: "refineries"

Strike: remainder of line 13 through "gas," on line 16

13. Page 28, lines 18 through 22.

Following: line 17

Strike: subsection (c) in its entirety

Renumber: subsequent subsections

14. Page 28, line 23.

Following: "pipeline"

Insert: ", whether partially or wholly within the state,"

15. Page 29, line 20 through page 33, line 4.

Following: line 19, page 29
Strike: section 9 in its entirety
Renumber: subsequent sections

16. Page 35, line 14.
Following: "(b)"
Strike: "¹"
Following: "~~or~~"
Insert: "or"
Following: "(c)"
Strike: remainder of line 14

17. Page 35, line 17.
Following: "in (b)"
Strike: remainder of line 17

18. Page 36, line 6 through page 38, line 23.
Following: line 5, page 36
Strike: section 12 in its entirety
Renumber: subsequent sections

19. Page 49, line 10.
Following: "[section]"
Strike: "14"
Insert: "12"

20. Page 49, line 17.
Following: "(2)"
Strike: "The"
Insert: "Subject to legislative appropriation, the"

21. Page 53, line 1.
Following: "[section]"
Strike: "21"
Insert: "19"

22. Page 53, line 16.
Following: "[section]"
Strike: "21"
Insert: "19"

23. Page 54, line 9.
Following: "[section]"
Strike: "21"
Insert: "19"

24. Page 56, line 20.
Following: "Sections"
Strike: "14, 17, and 21"
Insert: "12, 15, and 19"

25. Page 56, line 22.
Following: "sections"
Strike: "14, 17, and 21"
Insert: "12, 15, and 19"

And, as amended, do pass. Report adopted.

HB 711, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 711

(1) It is the intent of the legislature that the department of health and environmental sciences adopt a model rule with standards that may be adopted and enforced by a governing body of a county to prohibit the sale and distribution of certain phosphorus compounds used for cleaning purposes. The standards in the model rule must be designed to protect water quality and aquatic ecosystems by reducing the amount of phosphorus that enters state waters. In adopting the initial model rule, the department shall demonstrate strong consideration of the following provisions:

(a) Definitions:

(i) "Chemical water conditioner" means a water-softening chemical or other substance containing phosphorus intended to treat water for machine laundry use.

(ii) "Commercial establishment" means any premises used for the purpose of carrying on or exercising any trade, business, profession, vocation, or commercial or charitable activity, including but not limited to laundries, hospitals, hotels, motels, and food or restaurant establishments.

(iii) "Household cleaning product" means any product, including but not limited to soaps and detergents, used for domestic or commercial cleaning purposes, including but not limited to the cleaning of fabrics, dishes, food utensils, and household and commercial premises. Household cleaning product does not mean foods, drugs, cosmetics, or personal care items such as toothpaste, shampoo, or hand soap.

(iv) "Person" means any individual, proprietor of a commercial establishment, corporation, municipality, the state or any department, agency, or subdivision of the state, and any partnership, unincorporated association, or other legal entity.

(v) "Phosphorus" means elemental phosphorus.

(vi) "Trace quantity" means an incidental amount of phosphorus which is not part of the household cleaning product formulation, is present only as a consequence of manufacturing, and does not exceed 0.5% of the content of the product by weight expressed as elemental phosphorus.

(b) Prohibitions and exceptions:

(i) Except as provided in (1)(b)(ii) through (1)(b)(iv), no household cleaning product may be distributed, sold, offered, or exposed for sale if it contains a phosphorus compound in concentrations in excess of a trace quantity.

(ii) No dishwashing detergent may be distributed, sold, offered, or exposed for sale if it contains a phosphorus compound in excess of 8.7% by weight expressed as elemental phosphorus.

(iii) No chemical water conditioner which contains more than 20% phosphorus by weight may be distributed, sold, offered, or exposed for sale.

(iv) Cleaning agents used for industrial processes, cleaning food and beverage processing equipment, cleaning medical or surgical equipment, or cleaning dairy equipment are exempt from the provisions of this rule.

(2) It is the intent of the legislature that an ordinance with standards no less stringent than the standards of the model rule may be adopted at the option of a county government and, if adopted, must be enforced by the county government. Any ordinance applies only in a county that has adopted it through proper procedures. The department of health and environmental sciences may not enforce any standards or provisions of the model rule.

HB 786, introduced bill, be amended as follows:

1. Title, lines 6 and 7.

Following: line 5

Strike: line 6 through "LEASES;" on line 7

And, as amended, do pass. Report adopted.

HB 846, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

2/21/85

HB 421, do pass. Report adopted.

HB 788, do pass. Report adopted.

HB 796, do pass. Report adopted.

HB 806, do pass. Report adopted.

HB 830, introduced bill, be amended as follows:

1. Title, line 5.

Following: "PROHIBITING"

Insert: "STATE"

2. Title, line 6.

Strike: "OF" through "REVENUE"

3. Title, line 8.

Strike: "DEPARTMENT"

Insert: "STATE"

4. Page 1, line 13.

Strike: "department of revenue"

Insert: "state"

5. Page 1, line 14.

Strike: "department of revenue"

Insert: "state"

6. Page 1, line 15.

Strike: "for" through "purposes"

7. Page 1, line 18.

Strike: "department"

Insert: "state"

And, as amended, do pass. Report adopted.

HB 842, do pass. Report adopted.

HB 864, do pass. Report adopted.

HB 871, do pass. Report adopted.

HB 875, introduced bill, be amended as follows:

1. Page 3, line 5.

Strike: "held"

Insert: "in which he is entitled to vote"

2. Page 3, lines 5 through 11.

Strike: "A" on line 5 through "." on line 11

3. Page 4, line 4.

Following: "that"

Insert: "a ballot is enclosed or that"

And, as amended, do pass. Report adopted.

HJR 29, introduced bill, be amended as follows:

1. Page 1, line 21.

Following: "purpose"

Insert: " , without exception, "

And, as amended, do pass. Report adopted.

HJR 33, do pass. Report adopted.

Adverse Committee Report

HB 780, do not pass.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 915, introduced by Grady, Schultz, Koehnke, Poff, Rapp-Svrcek, J.K. Moore, Asay, Donaldson, Ellison, Nathe, Campbell, Thoft, Glaser, Cobb, Hayne, Spaeth, Shaw, Marks, Holliday, Jenkins, Tveit, Abrams, Keyser, Switzer, Iverson, Gilbert, Patterson, Severson, Schye, Devlin, Lane, Boylan, Conover. Referred to Committee on Taxation.

HB 916, introduced by Krueger, Harper, Fritz, Bardanouve, Cody, Cohen, Peck, Quilici, Driscoll, Bradley, Manuel, Addy, Darko, Abrams, Keenan, D. Brown, Miles, Raney, Menahan, Schye, Nisbet. Referred to Committee on State Administration.

HB 917, introduced by Harbin, Marks, Thomas, Addy. Referred to Committee on Taxation.

HB 918, introduced by Ramirez, Hannah, Mercer. Referred to Committee on Judiciary.

HB 919, introduced by Bardanouve. Referred to Committee on Appropriations.

MOTIONS

Representative Harrington moved that HB 731 be taken from engrossing and referred to the Committee on Appropriations. Motion carried.

Representative Iverson moved that HB 739 be taken from engrossing and referred to the Committee on Appropriations. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 10:00 a.m., February 22, 1985.

Motion carried.

House adjourned at 5:02 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

FORTY-FIRST LEGISLATIVE DAY

Helena, Montana
February 22, 1985

House Chambers
State Capitol

House convened at 10:15 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Donaldson, Hand, Miller, J. Moore, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the fortieth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/21/85

Correctly printed: HB 329, HB 363, HB 421, HB 540, HB 551, HB 563, HB 626, HB 707, HB 711, HB 781, HB 786, HB 788, HB 796, HB 806, HB 807, HB 808, HB 809, HB 830, HB 842, HB 846, HB 864, HB 871, HB 875, HJR 29, HJR 33, HJR 34.

Considered correctly engrossed: HB 366, HB 447, HB 715, HB 729, HB 731, HB 737, HJR 26, HJR 27, HJR 32.

Correctly engrossed: HB 726.

2/22/85

Considered correctly engrossed: HB 694, HB 722, HB 738, HB 739.

Correctly engrossed: HB 384, HB 497.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Schultz, Chairman):

2/21/85

HB 506, introduced bill, be amended as follows:

1. Title, line 9.

Following: "DATE"

Strike: "; AND PROVIDING AN APPLICABILITY DATE FOR A PORTION OF THE ACT"

2. Page 3.

Following: line 5

Strike: section 4 in its entirety

Renumber: subsequent sections

Renumber: internal references

3. Page 6, line 21.

Strike: "may"

Insert: "shall"

4. Page 6, line 25.

Strike: "eight"

Insert: "nine"

5. Page 7, line 3.

Strike: "from a"

Insert: "representing"

6. Page 7, line 4.

Strike: "organization"

7. Page 7, line 5.

Strike: "from an"

Insert: "representing"

8. Page 7, line 6.

Strike: "organization"

9. Page 7, line 10.

Strike: "conservation or"

10. Page 7.

Following: line 10

Insert: "(g) one member representing biological research and control interests;"

Renumber: subsequent subsections

11. Page 7, line 20.

Strike: "— applicability"

12. Page 7, lines 21 through 25.

Following: "approval."

Strike: remainder of sections 12 and 13

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 506

A statement of intent is required by this bill because rulemaking authority is granted to the Montana department of agriculture in section 8.

It is the intent of the legislature that the department of agriculture adopt rules for the orderly administration of the noxious weed management trust fund and collection and administration of revenue as provided in the bill. The department, through reports required of herbicide registrants, shall establish a collection system for the surcharge imposed in section 3, giving notice to the registrant and providing a procedure for the payment of the surcharge.

It is the intent of the legislature that the department adopt rules relating to the disbursement of funds generated by this act. Specifically, the department shall use the criteria stated in sections 5 and 6 as the basis for the distribution of the funds. The legislature intends that the money given in the form of grants and contracts be primarily on a cost-share basis. The department shall determine the ratio of cost sharing by considering the entity being given the money, its ability to find other sources of funding, the need for the project for which it receives the money, and the amount of benefit it bestows on the area involved. The legislature intends that projects involving greater community action and benefit receive increased priority.

It is the intent of the legislature that if the trust fund should be terminated by the legislature, the funds to be distributed to the counties must be distributed in an equitable manner, taking into consideration the population of the counties, the participation in the program, and the needs of the counties with respect to noxious weed management.

The legislature intends that the department adopt rules identifying any weed which constitutes a new and potentially harmful noxious weed. The department shall take into consideration the possible harm the newly introduced weed will have on the Montana economy, the damage the weed will cause to the existing foliage and environment, and the likelihood that the noxious weed will spread throughout the state. The department shall also establish rules for verifying the existence of the weed. These rules shall take into consideration the scientific methods for verification and proper sampling techniques for determining the extent of the weed outbreak.

It is the intent of the legislature that the decision for the disbursement of the funds for the projects be made by the director of the department of agriculture upon the advice of the noxious weed management advisory council. The directives of the director must be implemented by a noxious weed management coordinator, who shall serve the director. The noxious weed management coordinator shall maintain records on the disbursement of the funds and the progress of the funded projects. He shall make determinations as to the effectiveness of the previously funded projects and provide the director and the advisory council all relevant information necessary to make decisions for future disbursements of funds. He shall also work with and assist county weed districts.

FISH AND GAME (Ream, Chairman):

2/21/85

HB 820, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "AND"

2. Title, line 7.

Following: "WETLANDS"

Insert: "; AND PROVIDING EFFECTIVE DATES"

3. Page 1, line 21.

Strike: "shall arrange"

4. Page 1, line 23.

Strike: "for a preference for"

Insert: "that only"

5. Page 1, line 23.

Following: "artists"

Strike: remainder of line 23 through "artists" on line 25

Insert: "may be selected"

6. Page 2.

Following: line 13

Insert: "Section 5. Effective dates. Section 1 is effective March 1, 1986. Sections 2 through 5 are effective on passage and approval."

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 820

It is the intent of this legislation that an advisory committee will be formed by the department of fish, wildlife, and parks to represent, or that the department will consult with, interest groups such as:

(1) the sportsmen of Montana, represented by a member of the Montana wildlife federation;

(2) the nonconsumptive users of wildlife, represented by a member of the Montana Audubon council; and

(3) the agricultural industry, represented by a member of that community.

It will be the role of the advisory committee to review project proposals developed by the department of fish, wildlife, and parks which involve the use of funds generated as a result of this bill.

HB 828, do pass. Report adopted.

HUMAN SERVICES AND AGING (Keenan, Chairman):

2/20/85

HB 733, introduced bill, be amended as follows:

1. Title, line 7.

Following: "AUTHORITY"

Insert: "; AMENDING SECTION 50-15-201, MCA"

2. Page 1, line 10.

Insert: "NEW SECTION."

3. Page 1, line 22.

Insert: "NEW SECTION."

4. Page 3, line 9.

Insert: "NEW SECTION."

5. Page 3, lines 14 and 15.

Following: "organizations"

Strike: remainder of line 14 through "delinquency" on line 15

Insert: "or incorporated nonprofit organizations that address child abuse prevention issues"

6. Page 4, line 4.

Insert: "NEW SECTION."

7. Page 4, line 11.

Insert: "NEW SECTION."

8. Page 4.

Following: line 15

Insert: "Section 6. Section 50-15-201, MCA, is amended to read:

"50-15-201. Birth certificate to be filed — fee. (1) Within the time prescribed by the department, a birth certificate shall be filed with the local registrar of the district in which the birth occurred by:

(1)(a) the physician, midwife, or other legally authorized person if the birth is attended;

(2)(b) one of the parents if the birth is unattended.

(2) The local registrar shall collect a \$10 fee from the person filing the birth certificate. Fees collected must be transmitted every 3 months by the registrar to the state treasurer for deposit in the children's trust fund account established by [section 1]."

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 733

Section 3 requires the children's trust fund board to adopt rules implementing the child abuse and juvenile delinquency prevention program.

The rules should:

- (1) provide for an overall state plan for the program;
- (2) develop criteria for the receipt of program funds;
- (3) establish priorities among funded services and activities;
- (4) provide a method of monitoring the effectiveness of funded services and activities and the expenditure of funds from the children's trust fund account; and
- (5) address other matters necessary to implementation of the program.

HB 743, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 743

Under the amendment set forth as 53-2-612 (3), the legislature intends that the department recover all medical expenses paid, less its share of reasonable attorney's costs, in those cases where the total recovery net of attorney fees and costs is sufficient to pay the department and allow the recipient at least one-third of the net recovery. Where the net recovery is insufficient to reimburse the department for its costs and the recipient for other damages, this section requires the department to compromise its claim but only to the extent necessary to allow the recipient one-third of the net recovery. A recipient would not, under this statute, receive more than one-third of the net recovery unless and until the department has been reimbursed for its costs, net of attorney fees.

HB 758, introduced bill, be amended as follows:

1. Title, line 6.

Following: "IN"

Strike: "YOUTH CARE FACILITIES"

Insert: "CHILD-CARE AGENCIES"

2. Title, lines 7 through 9.

Following: "REQUIREMENTS;"

Strike: remainder of line 7 through "MCA" on line 9

Insert: "AND PROVIDING BASIC STANDARDS FOR THE CONDUCT OF COMMITTEE DELIBERATIONS"

3. Page 1, line 13.

Following: "(1)"

Strike: "In each judicial district, the"

Insert: "The"

4. Page 1, line 24.

Following: "a"

Strike: "mental health professional"

Insert: "representative of the department of institutions who is involved in mental health and residential services"

Following: ","

Strike: "and"

5. Page 2, line 1.

Following: "state"

Strike: ","

Insert: "and"

(e) a representative of the department of institutions who is involved in corrections."

6. Page 2, line 5.

Following: "child in a"

Strike: "youth care facility"

Insert: "child-care agency"

7. Page 2, lines 6 through 8.

Following: "evaluate the" on line 6

Strike: "case plan"

Insert: "treatment recommendations"

Following: "of" on line 6

Strike: remainder of line 6 through "child" on line 8

Insert: "any professional person who has evaluated or treated the youth"

8. Page 2, line 13.

Following: "developmental"

Insert: "and treatment"

9. Page 2, line 14.

Following: "placement"

Insert: "and the relative costs of care in the child-care agencies considered as appropriate placements"

10. Page 2, line 15.

Following: "standards"

Insert: "and budgetary limitations for child-care placements"

11. Page 2, line 18.

Following: "in a"

Strike: "facility"

Insert: "child-care agency"

12. Page 2, line 21.

Following: "section"

Strike: "3"

Insert: "2"

13. Page 2, line 24.

Following: "the"

Strike: "youth care facility"

Insert: "child-care agency or agencies"

14. Page 2, line 25.

Following: "as"

Strike: "a"

Following: "placement"

Strike: "resource"

Insert: "resources"

15. Page 3, line 2.

Following: line 1

Insert: "(1)"

16. Page 3, line 4.

Following: line 3

Strike: "(1)"

Insert: "(a)"

17. Page 3, line 6.

Following: ";

Insert: "and"

18. Page 3, line 7.

Following: line 6

Strike: "(2)"

Insert: "(b)"

19. Page 3, line 8.

Strike: "youth care facilities"

Insert: "child-care agencies"

20. Page 3, line 9.

Following: "state"

Strike: ";

Insert: "."

21. Page 3, lines 10 through 15.

Strike: subsection (3) in its entirety

Insert: "(2) Because of the individual privacy involved, meetings of the committee, reports of the committee, and information on individuals' cases shared by the committee members are confidential and subject to confidentiality requirements developed by the department."

22. Page 3, line 16.

Strike: section 5 in its entirety

23. Page 3, line 25 through line 20, page 5.

Strike: section 6 in its entirety

Renumber: subsequent sections

24. Page 6, line 2.

Following: "through"

Strike: "5"

Insert: "4"

25. Page 6, line 5.

Following: "through"

Strike: "5"

Insert: "4"

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Iverson, Chairman):

2/20/85

HB 637, do pass. Report adopted.

HB 638, do pass. Report adopted.

HB 670, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 670

The purpose of the extension of the rulemaking authority of the department of state lands and board of land commissioners is to allow the existing rules to be amended to include ore processing and reprocessing and extraction of old tailings and waste rock. In addition, the board and department may provide special rules eliminating application and performance standards irrelevant to reprocessing operations or milling operations.

MESSAGES FROM THE OTHER HOUSE

SB 313, introduced by Daniels, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, failed to pass the Senate and is transmitted to the House with the following vote: 2/21/85

YEAS - 21

NAYS - 28

Senate bills passed and transmitted to the House for concurrence: 2/21/85

SB 247, introduced by Daniels

SB 310, introduced by Jacobson

SB 320, introduced by Tveit, et al.

SB 333, introduced by Christiaens, et al.

SB 344, introduced by Neuman, et al.

SB 357, introduced by B. Williams, et al.

SB 399, introduced by Crippen, Keyser

House bills concurred in and returned to the House:

2/21/85

HB 23, introduced by Quilici

HB 70, introduced by Hand

HB 140, introduced by Asay, Keller

HB 267, introduced by Harbin

HB 297, introduced by Compton

HB 459, introduced by Switzer

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative J.K. Moore in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representatives Donaldson, Hand, and Miller present at this time.

HB 699 - Representative Keenan moved that consideration of HB 699 be passed for the day due to illness of the sponsor. Motion carried.

HB 744 - That HB 744 do pass. Motion failed as follows:

Ayes: Abrams, Addy, Bardanouve, Bergene, Bradley, D. Brown, Cody, Cohen, Connelly, Eudaily, Fritz, Hansen, Harper, Harrington, Hart, Holliday, Kadas, Keenan, Keyser, Krueger, Lory, Manuel, Menahan, Miles, Montayne, Nisbet, O'Connell, Patterson, Pistoria, Quilici, Raney, Ream, Spaeth, Thomas, Waldron, Williams, Winslow, Mr. Speaker.
Total 38

Noes: Asay, Bachini, Brandewie, J. Brown, Cobb, Compton, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Hayne, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, McCormick, Marks, Mercer, Miller, J.K. Moore, Nelson, O'Hara, Pavlovich, Peck, Peterson, Phillips, Poff, Ramirez, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Wallin, Zabrocki.
Total 57

Excused: J. Moore.

Total 1

Absent or not voting: Campbell, Driscoll, Nathe, Schye.

Total 4

That HB 744 do not pass. Motion carried as follows:

Ayes: Asay, Bachini, Brandewie, J. Brown, Campbell, Cobb, Compton, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Hayne, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, McCormick, Marks, Mercer, Miller, Montayne, Nelson, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Ramirez, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Zabrocki.

Total 60

Noes: Abrams, Addy, Bardanouve, Bergene, Bradley, D. Brown, Cody, Cohen, Connelly, Driscoll, Eudaily, Fritz, Hansen, Harper, Harrington, Hart, Holliday, Kadas, Keenan, Keyser, Krueger, Lory, Manuel, Miles, Nisbet, O'Connell, Pistoria, Quilici, Raney, Ream, Spaeth, Waldron, Williams, Winslow, Mr. Speaker.

Total 35

Excused: J. Moore.

Total 1

Absent or not voting: Menahan, J.K. Moore, Nathe, Schye.

Total 4

HB 747 - That HB 747 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: J. Moore.

Total 1

Absent or not voting: Nathe.

Total 1

HB 748 - That HB 748 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: J. Moore.

Total 1

Absent or not voting: Nathe.

Total 1

HB 754 - That HB 754 do pass. Motion failed as follows:

Ayes: Addy, Bachini, Bergene, D. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Eudaily, Fritz, Garcia, Gould, Hammond, Hansen, Harbin, Harrington, Hart, Howe, Jones, Keenan, Kennerly, Krueger, McCormick, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ream, Schye, Smith, Spaeth, Zabrocki.

Total 45

Noes: Abrams, Asay, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Gilbert, Glaser, Grady, Hand, Hannah, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Kadas, Keller, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Nathe, Patterson, Peterson, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 53

Excused: J. Moore.

Total 1

Absent or not voting: Simon.

Total 1

That HB 754 do not pass. Motion carried as follows:

Ayes: Abrams, Asay, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Gilbert, Glaser, Grady, Hand, Hannah, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Kadas, Keller, Kitselman, Koehnke, Lory, Manuel, Marks, Nathe, Patterson, Peterson, Ramirez, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 53

Noes: Addy, Bachini, Bergene, D. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Eudaily, Fritz, Garcia, Gould, Hammond, Hansen, Harbin, Hart, Howe, Jones, Keenan, Kennerly, Keyser, Krueger, McCormick, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Raney, Ream, Schye, Smith.

Total 44

Excused: J. Moore.

Total 1

Absent or not voting: Harrington, Zabrocki.

Total 2

HB 763 - Representative Phillips moved that HB 763, second reading copy, be amended as follows:

1. Statement of intent, line 9.

Strike: "the"

Insert: "each"

2. Page 4, line 2.

Strike: "\$50"

Insert: "\$200"

Strike: "\$300"

Insert: "\$1,000"

3. Page 4.

Following: line 15

Insert: "(2) an entry fee for the drawing of a license, which must be a minimum of \$5;"

Renumber: subsequent subsections

4. Page 4.

Following: line 22

Insert: "NEW SECTION. Section 4. Fees used for management of Yellowstone national park wild buffalo herd. The money collected from drawing and license fees must be placed in a special fund to manage and control the wild buffalo entering Montana from the Yellowstone national park herd."

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki.

Total 93

Noes: Bergene, Ellison, Miller, Mr. Speaker.

Total 4

Excused: J. Moore.

Total 1

Absent or not voting: Marks, Pistoria.

Total 2

That HB 763, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ernst, Garcia, Glaser, Hammond, Hand, Hansen, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Keenan, Keller, Kennerly, Keyser, Koehnke, Krueger, McCormick, Manuel, Menahan, Mercer, Montayne, J.K. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Raney, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thomas, Wallin, Williams, Winslow, Zabrocki.

Total 69

Noes: Bradley, Ellerd, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Hannah, Hanson, Harper, Jones, Kadas, Kitselman, Lory, Marks, Miles, Miller, Nelson, Peterson, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Schye, Thoft, Waldron, Mr. Speaker.

Total 29

Excused: J. Moore.

Total 1

Absent or not voting: Quilici.

Total 1

HB 770 - That HB 770 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Hanson, Nathe.

Total 2

Excused: J. Moore.

Total 1

Absent or not voting: D. Brown, Kadas.

Total 2

HB 774 - That HB 774 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: J. Moore.

Total 1

Absent or not voting: Bardanouve, Grady, Hanson, Montayne, Sales.

Total 5

HB 775 - That HB 775 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger,

Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: J. Moore.

Total 1

Absent or not voting: Bardanouve, Ellison, Hanson, Harrington, O'Connell.

Total 5

HB 777 - That HB 777 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Darko, Devlin, Driscoll, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Holliday, Howe, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, Nathe, Nisbet, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 74

Noes: Campbell, Compton, Donaldson, Ellerd, Ellison, Ernst, Glaser, Hannah, Hanson, Hayne, Iverson, Jenkins, Keller, Marks, Nelson, O'Hara, Peterson, Ramirez, Rehberg, Sales, Switzer, Thoft.

Total 22

Excused: J. Moore.

Total 1

Absent or not voting: Bardanouve, Hart, O'Connell.

Total 3

Representative Harper moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman J.K. Moore moved the adoption of the committee report. Representative Fritz made a substitute motion that HB 764 be segregated from the committee report and that, as amended, report be adopted. Motion carried. (76-21)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/22/85

Considered correctly engrossed: HB 712, HB 717.

Correctly enrolled: HB 154, HB 176, HJR 5.

Examined by the sponsor (Pistoria) and found to be correct: HB 154.

Examined by the sponsor (Bardanouve) and found to be correct: HB 176.

Examined by the sponsor (Asay) and found to be correct: HJR 5.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Schultz, Chairman):

2/21/85

HB 716, introduced bill, be amended as follows:

1. Title, line 5.

Following: "SECTIONS"

Strike: remainder of line 5 through "7-22-2142" on line 7

Insert: "7-3-4453, 7-14-2131, 7-14-2132, 7-22-2101 THROUGH 7-22-2105, 7-22-2107, 7-22-2108, 7-22-2121, 7-22-2123, 7-22-2124, 7-22-2126, 7-22-2141 THROUGH 7-22-2146, 7-22-2148, 7-22-2150, 7-22-2215, 7-22-4101, AND 77-6-114, MCA; AND REPEALING SECTIONS 7-22-2122, 7-22-2125, 7-22-2127, AND 7-22-2147"

2. Pages 1 through 5.

Strike: everything following the enacting clause

Insert: "Section 1. Section 7-22-2101, MCA, is amended to read:

"7-22-2101. Definitions. As used in this part, unless the context indicates otherwise, the following definitions apply:

(1) "Board" means a district weed board created under 7-22-2103.

(1)(2) "Commissioners" means the board of county commissioners.

(3) "Department" means the department of agriculture provided for in 2-15-3001.

(2)(4) "District" means the area included within the boundaries of an organized a weed control and weed seed extermination management district organized under 7-22-2102.

(3)(5) (a) "Noxious weeds" or "weeds" means Canadian thistle (*Cirsium arvense* (L.) scop.), wild morning glory or bindweed (*Convolvulus arvensis* L.), whitetop (*Lepidium draba* L.), leafy spurge (*Euphorbia virgata* waldst. and kit.), Russian knapweed (*Centaurea pteris pallas.*), and such other weeds as may be defined and designated as noxious weeds by the board of county commissioners of each county, subject to the approval of the county extension agent or agricultural experiment station at Montana state university. any exotic plant species established or that may be introduced in the state which may render land unfit for agriculture, forestry, livestock, wildlife, or other beneficial uses and which is designated:

(i) as a statewide noxious weed by rule of the department; or

(ii) as a district noxious weed by a board, following public notice of intent and a public hearing.

(b) A weed designated by rule of the department as a statewide noxious weed must be considered noxious in every district of the state.

(4) "Seed" or "seeds" means the seed of any noxious weed.

(5) "Supervisors" means the persons appointed by the board of county commissioners to supervise the weed control and weed seed extermination within the county.

(6) "Person" means an individual, partnership, corporation, association, or state or local government agency or subdivision owning, occupying, or controlling any land, easement, or right-of-way, including any county, state, or federally owned and controlled highway, drainage or irrigation ditch, spoil bank, borrow pit, or right-of-way for a canal or lateral.

(7) "Supervisor" means the person employed by the board to conduct the district noxious weed management program and supervise other district employees.

(8) "Weed management" or "control" means the planning and implementation of a coordinated program for the containment, suppression, and, where possible, eradication of noxious weeds."

Section 2. Section 7-22-2102, MCA, is amended to read:

"7-22-2102. Weed control and weed seed extermination management districts established. A weed control and weed seed extermination management district shall be formed in every county of this state and shall include all the land within the boundaries of the county, except that a weed management district may include more than one county through agreement of the commissioners of the affected counties."

Section 3. Section 7-22-2103, MCA, is amended to read:

"7-22-2103. County District weed board. (1) The board of county commissioners of each county shall appoint a county district weed board consisting of three or five members, and:

(a) if a three-member board, two members shall be rural agricultural landowners within the county district and one member shall be a teacher of biology or a person with comparable expertise member-at-large; or

(b) if a five-member board, three members shall be rural agricultural landowners within the county district, one member shall be a resident of a city or town within the county district, and one member shall be a teacher of biology or a person with comparable expertise member-at-large.

(2) The county extension agent in each county is an ex officio member and other interested individuals may be appointed to serve as nonvoting members of that county's district's weed board.

(3) The supervisors board members are public officers."

Section 4. Section 7-22-2104, MCA, is amended to read:

"7-22-2104. Term of office. (1) Except as provided in subsection (2), a member of a county district weed board serves a term of 3 years and until the qualification of his successor. The term of office begins January 1.

(2) When a three-member weed board is established, the initial board members serve terms of 1, 2, and 3 years, respectively, as designated by the commissioners. When a five-member weed board is established, two of the initial members serve terms of 1 year, two serve terms of 2 years, and one serves a term of 3 years. After expiration of an initial term of office, the successor serves a 3-year term as provided in subsection (1)."

Section 5. Section 7-22-2105, MCA, is amended to read:

"7-22-2105. Organization of county district weed board and compensation. (1) The board of weed control shall organize by choosing a chairman and a secretary. The secretary may or may not be a member of the board.

(2) Salary, per diem, and mileage of such supervisors board members shall be set by resolution of the board of county commissioners.

(3) A majority of the board constitutes a quorum for the conduct of business."

NEW SECTION. Section 6. Powers and duties of board. (1) The board may:

- (a) employ a supervisor and other employees as necessary and provide for their compensation;
- (b) purchase such chemicals, materials, and equipment and pay other operational costs as it determines necessary for implementing an effective weed management program. Such costs must be paid from the noxious weed fund.
- (c) determine what chemicals, materials, or equipment may be made available to persons controlling weeds on their own land. The cost for such chemicals, materials, or equipment must be paid by such person and collected as provided in this part.
- (d) enter into agreements with the department for the control and eradication of any new exotic plant species not previously established in the state which may render land unfit for agriculture, forestry, livestock, wildlife, or other beneficial use if such plant species spreads or threatens to spread into the state; and
- (e) perform other activities relating to weed management.

(2) The board shall:

- (a) administer the district's noxious weed program;
- (b) establish management criteria for noxious weeds on all land within the district;
- (c) make all reasonable efforts to develop and implement a noxious weed program covering all land within the district owned or administered by a federal agency.

Section 7. Section 7-22-2107, MCA, is amended to read:

"7-22-2107. Unlawful to willfully permit noxious weeds to go to seed propagate. (1) It shall be unlawful for any person to willfully permit any noxious weed; as named in this part or designated by the board of county commissioners of the respective county, to propagate or go to seed on any lands within the area of any district his land, except that any person who adheres to the noxious weed management program of his district or who has entered into and is in compliance with a noxious weed management agreement is considered to be in compliance with this section.

(2) This section shall apply to all persons, partnerships, corporations, or companies owning, occupying, or controlling lands, easements, or rights-of-way, as well as all county, state, and federally owned and controlled highways and state lands and also all drainage and irrigation ditches, spoil banks, borrow pits, and rights-of-way for canals and laterals within the district."

Section 8. Section 7-22-2108, MCA, is amended to read:

"7-22-2108. Violations. (1) Any person who in any manner interferes with the supervisors or their deputies and employees board or its authorized agent in carrying out the provisions of this part or who refuses to obey an order or notice of a supervisor the board is guilty of a misdemeanor, and upon conviction thereof, he shall be fined not to exceed \$100 for the first offense and not less than \$100 or more than \$200 for each subsequent offense.

(2) All fines, bonds, and penalties collected under the provisions of this part shall be paid to the county treasurer of each county and placed by him to the credit of a fund to be known as the noxious weed fund."

Section 9. Section 7-22-2121, MCA, is amended to read:

"7-22-2121. Weed ~~control~~ management program. (1) The noxious weed management program must be based on a plan approved by the board.

(2) The noxious weed management plan must:

(a) specify the goals and priorities of the program;

(b) review the distribution and abundance of each noxious weed species known to occur within the district and specify the locations of new infestations and areas particularly susceptible to new infestations; and

(c) estimate the personnel, operations, and equipment costs of the proposed program.

(3) The ~~supervisors~~ board shall ~~control~~ provide for the management of noxious weeds on all lands land or rights-of-way owned or controlled by a county or municipality within the confines of the district. They It shall take particular precautions to ~~control~~ while managing the noxious weeds while preserving to preserve beneficial vegetation and wildlife habitat. Where at all possible, methods for such control shall include ~~mowing~~ cultural, chemical, and biological methods.

(4) The board may establish special management zones within the district. The management criteria in such zones may be more or less stringent than the general management criteria for the district."

NEW SECTION. Section 10. Cooperative agreements. (1) Any state agency controlling land within a district, including the department of highways; the department of state lands; the department of fish, wildlife, and parks; the department of institutions; the department of natural resources and conservation; and the university system, shall enter into a written agreement with the board. The agreement must specify mutual responsibilities for noxious weed management on state-owned or state-controlled land within the district.

(2) The board and the governing body of each incorporated municipality within the district shall enter into a written agreement and shall cooperatively plan for the management of noxious weeds within the boundaries of the municipality. The board may implement management procedures described in the plan within the boundaries of the municipality for noxious weeds only. Control of nuisance weeds within the municipality remains the responsibility of the governing body of the municipality, as specified in 7-22-4101.

(3) A board may develop and carry out its noxious weed management program in cooperation with boards of other districts, with state and federal governments and their agencies, or with any person within the district. The board may enter into cooperative agreements with any of these parties.

NEW SECTION. Section 11. Revegetation of rights-of-way and disturbed areas. (1) Any state agency or local government unit approving a mine, major facility, transmission line, solid waste facility,

highway, subdivision, or any other development resulting in significant disturbance of land within a district shall notify the board.

(2) Whenever any person or agency disturbs vegetation on an easement or right-of-way within a district by construction of a road, irrigation or drainage ditch, pipeline, transmission line, or other development, the board shall require that the disturbed areas be seeded, planted, or otherwise managed to reestablish a cover of beneficial plants.

(3) (a) The person or agency disturbing the land shall submit to the board a written plan specifying the methods to be used to accomplish revegetation. The plan must describe the time and method of seeding, fertilization practices, recommended plant species, use of weed-free seed, and the weed management procedures to be used.

(b) The plan is subject to approval by the board, which may require revisions to bring the revegetation plan into compliance with the district weed management plan. Upon approval by the board, the revegetation plan must be signed by the chairman of the board and the person or agency responsible for the disturbance and constitutes a binding agreement between the board and such person or agency.

NEW SECTION. Section 12. Voluntary agreements for control of noxious weeds along roads. (1) Any person may voluntarily seek to enter into an agreement for the management of noxious weeds along a state or county highway or road bordering or running through his land. The supervisor may draft such an agreement upon the request of and in cooperation with the person; however, the agreement must, in the board's judgment, provide for effective weed management. The weed management agreement must be signed by the person and, upon approval of the board, by the chairman. An agreement involving a state highway right-of-way must also be signed by a representative of the department of highways.

(2) The agreement must contain a statement disclaiming any liability of the board and, if applicable, the department of highways for any injuries or losses suffered by the person in managing noxious weeds on the state or county highway right-of-way. The signed agreement transfers responsibility for managing noxious weeds on the specified section of right-of-way from the board to the person signing the agreement. If the board later finds that the person has failed to adhere to the agreement, the board shall issue an order informing the person that the agreement will be void and that responsibility for the management of noxious weeds on the right-of-way will revert to the board unless the person complies with the provisions of the agreement within a specified time period.

Section 13. Section 7-22-2123, MCA, is amended to read:

"7-22-2123. Operation of weed control program Procedure in case of noncompliance. (1) The supervisors may employ suitable and competent persons as assistants and employees as may be necessary and provide for their compensation.

(2)—(a)(1) Where complaint has been made and the supervisors have or the board has reason to believe that noxious weeds described in this part are present upon the lands a person's land within the district in violation of the law, they shall forthwith inspect the premises: that person must be notified by mail or telephone of the

complaint and the board may request inspection of such land. The board or its authorized agent and the landowner or his representative shall inspect the land at an agreeable time, within 10 days of notification of the landowner. If after reasonable effort the board is unable to gain cooperation of the person, the board or its authorized agent may enter and inspect the land to determine if the complaint is valid.

(b)(2) If such noxious weeds are found, the supervisors board or supervisor shall cause written notice to be served on the person permitting the same, directing him to comply with the provisions of this part within a period of time specified in said notice. notify the person or his representative and seek voluntary compliance with the district weed control program. If voluntary compliance is not possible, notice of noncompliance must be sent to the person by certified mail.

(3) The notice must specify:

(a) the basis for the determination of noncompliance;

(b) the geographic location of the area of noncompliance, by legal description or other reasonably identifiable description;

(c) measures to be undertaken in order to comply with the district's management criteria; and

(d) a reasonable period of time, not less than 10 days, in which compliance measures must be initiated.

(4) A person is considered in compliance if he submits and the board accepts a proposal to undertake specified control measures and is in compliance for so long as he performs according to the terms of the proposal. If the measures proposed to be taken extend beyond the current growing season, the proposal and acceptance must be in writing.

(5) In accepting or rejecting a proposal, the board shall consider the economic impact on the person and his neighbors, practical biological and environmental limitations, and alternative control methods to be used."

Section 14. Section 7-22-2124, MCA, is amended to read:

"7-22-2124. Destruction of weeds by supervisors — report to county clerk board. (1) If the notice be not obeyed corrective action is not taken and no proposal is made and accepted within the time specified in the notice, the supervisors shall board may forthwith enter upon the person's land and institute appropriate control measures. and make report thereof to the county clerk, with a verified, itemized account of their services and expenses in so doing and a description of the lands involved, and shall include in said account the necessary cost and expense of chemicals, man-hours of labor, and equipment employed, at a rate paid, in the immediate vicinity, for labor per day and for equipment used for an 8-hour day.

(2)—In effectively controlling such weeds, the supervisors are authorized to take possession and control of any infested tract of land within their district, together with any fences or ditches thereon, and to move any fence or ditch where necessary in order to better conduct the control work. If any fence or ditch be moved, the same shall be replaced upon completion of the control work if requested by the

landowner. In such case the board shall submit a bill to the person, itemizing man-hours of labor, material, and equipment time, together with a penalty not exceeding 10% of the total cost incurred. Labor and equipment must be valued at the current rate paid for commercial management operations in the district. The bill must specify and order a payment due date of 30 days from the date the bill is sent.

(2) A copy of the bill must also be submitted by the board to the county clerk and recorder."

NEW SECTION. Section 15. Administrative hearing — appeals. (1) A person adversely affected by any notice, action, or order of the board may request an administrative hearing before the board. The board shall hold a hearing within 30 days of the request. Participants may be represented by legal counsel. The board shall make a record of the proceeding and enter its order and findings within 7 days after the hearing.

(2) An order of the board may be appealed to the commissioners within 30 days from the time the order is entered. The commissioners shall hear such appeal within 30 days after the notice of appeal and shall render their order and findings within 7 days after such hearing. Participants may be represented by legal counsel.

(3) Within 30 days after the commissioners render their order and findings, the person adversely affected may file a petition in district court requesting that the order and findings of the commissioners be set aside or modified. The court may affirm, modify, or set aside the order complained of, in whole or in part.

Section 16. Section 7-22-2126, MCA, is amended to read:

"7-22-2126. Embargo to prevent introduction of noxious weeds and seeds. Whenever the supervisors have reason to believe that farm products, including seed, which will cause the spread of noxious weeds are about to be introduced into the county, the supervisors shall declare an embargo against the importation of such farm products and seeds into such county. The board may establish voluntary embargo programs to reduce the spread of noxious weeds within the district or the introduction of noxious weeds into the district."

Section 17. Section 7-22-2141, MCA, is amended to read:

"7-22-2141. Noxious weed fund authorized. (1) The board of county commissioners of any each county in this state may shall create a noxious weed control and weed seed extermination management fund, to be designated the "noxious weed fund".

(2) This fund shall be kept separate and distinct by the county treasurer."

Section 18. Section 7-22-2142, MCA, is amended to read:

"7-22-2142. Sources of money for noxious weed fund. (1) The board of county commissioners may create the noxious weed fund by either:

(a) appropriating money from the general fund of the county; or

(b) at any time fixed by law for levy and assessment of taxes, levying a tax not exceeding 2 mills on the dollar of total taxable valuation in such county; and

(c) levying a tax in excess of 2 mills if authorized by a majority of the qualified electors voting in an election held for this purpose pursuant to 7-6-2531 through 7-6-2536.

(2) The proceeds of the tax shall be used solely for the purpose of ~~promoting the control of managing~~ noxious weeds ~~or extermination of weed seed~~ in said county and shall be designated to the noxious weed fund.

(3) Any proceeds from work or chemical sales shall revert to the noxious weed fund and shall be available for reuse within ~~the~~ that fiscal year or any subsequent year.

(4) The commissioners may accept any private, state, or federal gifts, grants, contracts, or other funds to aid in the management of noxious weeds within the district. These funds must be placed in the noxious weed fund."

Section 19. Section 7-22-2143, MCA, is amended to read:

"7-22-2143. Determination of cost of weed control program. The commissioners shall determine and fix the cost of the control of noxious weeds ~~and of extermination of noxious weed seed in weed districts, the district,~~ whether the same be performed by the individual landowners or by the supervisors board."

Section 20. Section 7-22-2144, MCA, is amended to read:

"7-22-2144. Payment of cost of weed control program. The total cost of such control shall be paid from the noxious weed fund. The cost of controlling such weeds growing along the right-of-way of a state or federal highway shall, upon the presentation by the supervisors board of a verified account of the expenses incurred, be paid from the state highway fund in compliance with 7-14-2132 and any agreement between the board and the department of highways. Costs attributed to other lands within the district shall be assessed to and collected from the ~~appropriate holder or owner of interest~~ responsible person as set forth in 7-22-2107."

Section 21. Section 7-22-2145, MCA, is amended to read:

"7-22-2145. Expenditures from noxious weed fund. (1) The noxious weed fund shall be expended by the commissioners at such time and in such manner as is deemed best by ~~said supervisors the board~~ to secure the control ~~and extermination~~ of noxious weeds ~~and weed seed.~~

(2) Warrants upon such fund shall be drawn by the supervisors board. No warrants shall be drawn except upon claims duly itemized by the claimant, except payroll claims which shall be itemized and certified by the supervisors board, and each such claim shall be presented to the ~~board of county~~ commissioners for its approval before the warrant therefor shall be countersigned by the commissioners."

Section 22. Section 7-22-2146, MCA, is amended to read:

"7-22-2146. Financial assistance to landowners persons responsible for weed control. ~~If in the judgment of the commissioners and supervisors it seems advisable, they may agree to assist the landowners in said district with a part of the cost of weed control on their land. If this is to be done, then in cases where the landowner controls the weeds and exterminates the weed seed, he shall present to the supervisors a duly verified claim for one-third of such cost, and when the~~

same has been approved by the supervisors and commissioners; it shall be paid to such landowner out of the noxious weed fund. (1) The commissioners, upon recommendation of the board, may establish cost-share programs with any person, specifying costs that may be paid from the noxious weed fund and costs that must be paid by the person. Cost-share programs may be established for special projects and for established management zones.

(2) (a) When under the terms of any voluntary agreement, whether entered into pursuant to 7-22-2123 or otherwise, or under any cost-share program entered pursuant to this section a person incurs any obligation for materials or services provided by the board, the board shall submit a bill to the person, itemizing man-hours of labor, material, and equipment time. The bill must specify and order a payment due date not less than 30 days from the date the bill is sent.

(b) A copy of the bill must be submitted by the board to the county clerk and recorder. If the sum to be repaid by the person billed is not repaid on or before the date due, the county clerk and recorder shall certify the amount thereof, with the description of the land to be charged, and shall enter the sum on the assessment list as a special tax on the land, to be collected in the manner provided in 7-22-2148."

Section 23. Section 7-22-2148, MCA, is amended to read:

"7-22-2148. Tax liability for payment of weed control expenses. (1) The expenses referred to in 7-22-2124 shall be paid by the county out of the noxious weed fund, and unless the sum to be repaid by the ~~owner or occupant~~ person billed under 7-22-2124 is repaid ~~before the succeeding October 15~~ on or before the date due, the county clerk shall certify the amount thereof, with the description of the land to be charged, and shall enter the same on the assessment list of the county as a special tax on the land. If the land for any reason is exempt from general taxation, the amount of such charge may be recovered by direct claim against the lessee and collected in the same manner as personal taxes. When such charges are collected, they shall be credited to the noxious weed fund.

(2) In determining what lands are included as land covered by the special tax and are described in the certificate of the county clerk, it is presumed that all work done upon any of the land of any one landowner is for the benefit of all of the land within the district belonging to such owner which was contiguous to or joined the parcel upon which the work was done at the time the work was done, together with the parcel upon which the work was done, and the amount certified becomes a tax upon the whole thereof."

Section 24. Section 7-22-2150, MCA, is amended to read:

"7-22-2150. Cooperation with state and federal-aid programs. The ~~supervisors are~~ board is empowered to cooperate with any state or federal-aid program that becomes available. Under such a plan of cooperation, the direction of the program shall be under the direct supervision of the ~~supervisors of the county~~ board of the district in which the program operates."

Section 25. Section 7-3-4453, MCA, is amended to read:

"7-3-4453. Assessments for snow, ice, weed, and rubbish removal. The commission shall have the power to provide by ordinance for

assessing against the abutting property the cost of removing from the sidewalks all accumulation of snow and ice and for assessing against the property the cost of cutting and removing therefrom obnoxious nuisance weeds and rubbish."

Section 26. Section 7-14-2131, MCA, is amended to read:

"7-14-2131. Reseeding of right-of-way. (1) Whenever the natural sod cover on right-of-way areas is disturbed by construction of county roads, irrigation ditches, drain ditches, or otherwise, the board of county commissioners shall require ~~that such disturbed areas be seeded to an adaptable perennial grass or combination of perennial grasses and legumes. Every effort shall be made to establish a sod cover on the disturbed area.~~

(2) ~~All seed used shall meet certified standards.~~

(3) ~~Time and method of seeding, fertilizing practices, and grass species shall be those recommended by the Montana extension service. the person or agency responsible for the disturbance to comply with [section 11]."~~

Section 27. Section 7-14-2132, MCA, is amended to read:

"7-14-2132. Control of weeds along roads and highways. (1) The district weed board of weed control and weed seed extermination supervisors shall control noxious weeds on the county roads.

(2) If the department of highways does not control noxious weeds on state and federal highways in any county, the supervisors district weed board shall control them. Upon presentation by the supervisors board of a verified account of the expenses incurred, the costs of control shall be paid by the department."

Section 28. Section 7-22-2215, MCA, is amended to read:

"7-22-2215. Rodent control board. (1) A governing body creating a rodent control district shall appoint a rodent control board composed of not less than three or more than five members. The county extension agent is an ex officio member of the board. Each member of the board must be an elector and reside within the district.

(2) Board members serve 3-year staggered terms. Of the members first appointed to a board, at least one shall serve a 1-year term and at least one shall serve a 2-year term.

(3) Each member of the board is entitled to:

(a) a mileage allowance as provided in 2-18-503 for the distance actually and necessarily traveled to perform official duties; and

(b) per diem expenses established by the governing body.

(4) The county district weed board appointed under 7-22-2103 may be appointed by the governing body to also serve as the rodent control board, in which case the qualifications, terms, compensation, mileage, and expenses of the rodent control board are the same as those of the county district weed board and subsections (1) through (3) do not apply."

Section 29. Section 7-22-4101, MCA, is amended to read:

"7-22-4101. Control of noxious nuisance weeds within municipality. (1) The city or town council has power to:

(1)(a) declare and determine what vegetation within the city or town shall be ~~noxious~~ nuisance weeds;

(2)(b) provide the manner in which they shall be exterminated;

(3)(c) require the owner or owners of any property within said city or town to exterminate or remove ~~noxious~~ nuisance weeds from their premises and the one-half of any road or street lying next to the land or boulevard abutting thereon; and

(4)(d) provide, in the event the owner or owners of any of said premises neglect to exterminate or remove the ~~noxious~~ nuisance weeds therefrom, for levying the cost of such extermination or removal as a special tax against the property.

(2) A noxious weed as defined in 7-22-2101 may not be declared a nuisance weed under this section."

Section 30. Section 77-6-114, MCA, is amended to read:

"77-6-114. Lessee responsible for assessments and taxes for weed control. It shall be the duty of the board in leasing any agricultural state land to provide in such lease that the lessee of lands so leased lying within the boundaries of any noxious weed control ~~and weed seed extermination~~ district shall assume and pay all assessments and taxes levied by the board of county commissioners for such district on such state lands, and such assessments and tax levy shall be imposed on such lessee as a personal property tax and shall be collected by the county treasurer in the same manner as regular personal property taxes are collected. All such state lessees shall be required under the terms of such lease to pay such assessment and tax levy at the same time and manner as other regular personal taxes are paid."

NEW SECTION. Section 31. Codification instruction. Sections 6, 10 through 12, and 15 are intended to be codified as an integral part of Title 7, chapter 22, part 21, and the provisions of Title 7, chapter 22, part 21, apply to sections 6, 10 through 12, and 15.

NEW SECTION. Section 32. Repealer. Sections 7-22-2122, 7-22-2125, 7-22-2127, and 7-22-2147, MCA, are repealed.

NEW SECTION. Section 33. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 716

It is the intent of the legislature that the rulemaking authority of the department of agriculture under section 1 be employed to designate noxious weeds in a manner consistent with the definition of noxious weeds provided in section 1 and consistent with the weed management criteria to be developed under section 6(2)(b).

BUSINESS AND LABOR (Pavlovich, Chairman):

2/22/85

HB 597, referred to the committee of the whole without recommendation. Report adopted.

HB 890, referred to the committee of the whole without recommendation. Report adopted.

Adverse Committee Reports

HB 863, do not pass.

HB 868, do not pass.

HB 874, do not pass.

HB 898, do not pass.

HIGHWAYS AND TRANSPORTATION (Harp, Chairman): 2/21/85

HB 66, introduced bill, be amended as follows:

1. Title, line 6.

Following: "ENCLOSED"

Insert: ", AT A SPEED IN EXCESS OF 25 MILES PER HOUR"

2. Page 1, line 10.

Following: "pickup,"

Insert: "at a speed in excess of 25 miles per hour"

And, as amended, do pass. Report adopted.

JUDICIARY (Hannah, Chairman): 2/22/85

HB 799, introduced bill, be amended as follows:

1. Page 1, line 21.

Strike: "\$3,500"

Insert: "\$2,500"

2. Page 2, line 12.

Strike: "\$3,500"

Insert: "\$2,500"

3. Page 2, line 14.

Strike: "\$3,500"

Insert: "\$2,500"

4. Page 3, line 5.

Strike: "\$3,500"

Insert: "\$2,500"

And, as amended, do pass. Report adopted.

HB 889, do pass. Report adopted.

HJR 24, do pass. Report adopted.

Adverse Committee Reports

HB 17, do not pass.

HB 797, do not pass.

LOCAL GOVERNMENT (Darko, Chairman): 2/21/85

HB 277, introduced bill, be amended as follows:

1. Title, lines 9 and 10.

Strike: "AND EXEMPTING CONSTRUCTION OR IMPROVEMENT OF JAILS FROM CERTAIN REQUIREMENTS ON BONDING AND OTHER SPENDING"

2. Title, line 11.

Strike: "LIMITATIONS"

Strike: "7-7-2101, 7-7-2203,"

3. Title, line 12.

Strike: "7-7-2221,"

4. Page 1.

Following: line 16

Insert: "NEW SECTION. Section 1. Purpose. It is the purpose of [sections 1 through 4] to allow regional or single-county jails to be built by private industry and leased back to the participating county or counties for operation by the county, collectively by participating counties, or by a private entity with the concurrence of the sheriff or sheriffs involved."

Renumber: subsequent sections

5. Page 2, line 15.

Following: "section"

Strike: "1"

Insert: "2"

6. Page 3, lines 15 and 16.

Strike: "and his assistant jailers have the powers and duties of sheriffs"

Insert: "is responsible for the immediate management and control of the jail subject to general policies and programs established pursuant to the agreement provided for in 7-32-2201(2) and any applicable interlocal agreement. The powers of such an administrator and corrections personnel employed under his authority include control over prisoners"

7. Page 3, line 19.

Following: "the"

Insert: "hot"

8. Page 3, line 21 through line 5, page 6.

Strike: sections 4 through 6 in their entirety

Renumber: subsequent sections

9. Page 9, line 23.

Following: "agreement"

Insert: "with the concurrence of the sheriffs of all participating counties,"

And, as amended, do pass. Report adopted.

HB 883, do pass. Report adopted.**HB 894**, do pass. Report adopted.**HB 900**, introduced bill, be amended as follows:

1. Title, line 7.

Following: "3"

Insert: "BUT LESS THAN 5"

2. Page 4, line 4.

Following: "more"Insert: "but less than 60"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

2/22/85

HB 801, do pass. Report adopted.**HB 878**, do pass. Report adopted.**HB 893**, do pass. Report adopted.**HB 916**, introduced bill, be amended as follows:

1. Page 4, line 8.

Strike: "request"

Insert: "mark a box provided beside his name on the precinct register to indicate his party preference for"

2. Page 4, lines 8 and 9.

Strike: "of" on line 8 through "choice" on line 9

Insert: "only"

3. Page 5, line 6.

Following: "by"

Insert: "publicly"

4. Page 5, line 9.

Following: "by"

Insert: "publicly"

And, as amended, do pass. Report adopted.

TAXATION (Devlin, Chairman):

2/22/85

HB 696, do pass. Report adopted.

HB 815, referred to the committee of the whole without recommendation. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent

February 22, 1985

Speaker of the House

State Capitol

Helena, Montana 59620

Dear Mr. Speaker:

Please be informed that I have signed House bills 27, 30, and 350 on this date.

Sincerely,

Ted Schwinden

Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HJR 38, introduced by Bachini, Pavlovich, Nisbet, Driscoll, Connelly, Hart, Howe, Kadas, McCormick, J. Brown, Kolstad, Hansen, Brandewie, Harp, Jenkins, Compton, Iverson, Peck, Stephens, Jones, Bardanouve, B. Brown, Blaylock, C. Smith, Story. Referred to Committee on Business and Labor.

MOTIONS

Representative Donaldson moved that SB 122 be placed at the top of the second reading board this day. Motion carried.

Representative Harper moved that the House stand in recess until 1:30 p.m. Motion carried.

House recessed at 11:45 a.m.

House reconvened at 1:40 p.m.

Mr. Speaker in the Chair.

Representative J. Moore present at this time.

Representative Marks moved that HB 211 be taken from the Committee on Education and Cultural Resources and placed on second reading on the 42nd legislative day. Motion failed. (46-54)

Representative Connelly moved that the House reconsider its action in failing to pass HB 554, second reading yesterday. Motion carried. (67-32)

Representative Bardanouve moved that Spaeth, Harp, and Regan be added as sponsors to HB 919. Motion carried.

Representative Addy moved that the House reconsider its action in failing to pass HB 745, third reading yesterday. Motion failed. (49-49)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative J.K. Moore in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 122 - Representative Bardanouve moved that SB 122, third reading copy, be amended as follows:

1. Page 1, line 23.

Following: "unemployment"

Insert: "as provided in [section 2(2)]"

2. Page 4, line 2.

Following: "program"

Insert: "— contingent on federal funding"

3. Page 4, line 2.

Following: "."

Insert: "(1)"

4. Page 4.

Following: line 5

Insert: "(2) The department may only use continued unemployment of a parent as an eligibility criteria for aid to dependent children if federal funding participation in the state's program is based on a percentage of the total number of eligible persons or a percentage of the state's total or per capita expenditures for the program."

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Garcia, Marks, Mercer, O'Connell, Sands.

Total 5

That SB 122, as amended, be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Pavlovich.

Total 1

HB 778 - That HB 778 do pass. Motion carried as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: Addy, Hand, Krueger.

Total 3

Excused: None.

Total 0

Absent or not voting: D. Brown, Hammond, Harper, Mercer.

Total 4

HB 779 - That HB 779 do pass. Motion carried as follows:

Ayes: Abrams, Asay, Bachini, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert,

Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Addy, Sales, Zabrocki.

Total 3

Excused: None.

Total 0

Absent or not voting: Bardanoue, D. Brown.

Total 2

HB 790 - That HB 790 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanoue, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 803 - That HB 803 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanoue, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Glaser, O'Hara, Sales.

Total 3

Excused: None.

Total 0

Absent or not voting: D. Brown.

Total 1

HB 817 - That HB 817 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Donaldson, Harper, Kadas, Kennerly, Marks, Switzer.

Total 6

HB 837 - That HB 837 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Driscoll, Sales.

Total 2

Excused: None.

Total 0

Absent or not voting: Krueger, Williams.

Total 2

HB 18 - Representative Sands moved that HB 18, second reading copy, be amended. Amendment failed. (37-63)

Representative Donaldson moved that HB 18, second reading copy, be amended as follows:

1. Statement of intent, line 12.

Strike: "1986"

Insert: "1987"

2. Title, line 17.

Following: "PROVIDING"

Strike: "AN IMMEDIATE"

Insert: "A DELAYED"

3. Title, line 19.

Following: line 18

Strike: "1986"

Insert: "1987"

4. Page 7, line 9.

Strike: "1986"

Insert: "1987"

5. Page 7, line 15.

Strike: "1986"

Insert: "1987"

6. Page 7, line 17.

Strike: "1986"

Insert: "1987"

7. Page 7, line 18.

Strike: "1986"

Insert: "1987"

8. Page 7, line 20.

Strike: "1986"

Insert: "1987"

9. Page 7, line 24.

Strike: "1986"

Insert: "1987"

10. Page 38, line 6.

Strike: "1986"

Insert: "1987"

11. Page 58, line 18.

Strike: "on passage and approval"

Insert: "January 1, 1986"

12. Page 58, line 20.

Strike: "1986"

Insert: "1987"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson,

Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Swift, Switzer, Thoft, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: Cody, Gilbert, Hannah, Harp, Keyser, Kitselman, Mercer, Ramirez, Ream, Thomas, Wallin.

Total 11

Excused: None.

Total 0

Absent or not voting: Garcia, Spaeth.

Total 2

That HB 18, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hansen, Harbin, Harper, Hart, Hayne, Holliday, Howe, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Rapp-Svrcek, Ream, Sands, Schultz, Schye, Simon, Switzer, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 68

Noes: Bachini, D. Brown, Cody, Devlin, Ellerd, Gilbert, Hannah, Hanson, Harp, Harrington, Iverson, Jenkins, Jones, Keenan, Keyser, Krueger, Menahan, Mercer, Nathe, Pavlovich, Quilici, Ramirez, Raney, Rehberg, Sales, Smith, Spaeth, Swift, Thoft, Thomas, Wallin.

Total 31

Excused: None.

Total 0

Absent or not voting: Bardanouve.

Total 1

HB 71 - Representative Sands moved that HB 71 do pass. Representative D. Brown made a substitute motion that HB 71 do not pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Driscoll, Ellerd, Ellison, Ernst, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Iverson, Kadas, Keenan, Koehnke, Krueger, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J. Moore, Nisbet, Pavlovich, Peck, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Sales, Schye, Spaeth, Thoft, Thomas, Waldron, Wallin, Zabrocki, Mr. Speaker.

Total 59

Noes: Bergene, Cobb, Devlin, Donaldson, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Hayne, Howe, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Lory, McCormick, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Pistoria, Rehberg, Sands, Schultz, Simon, Smith, Swift, Switzer, Williams, Winslow.

Total 39

Excused: None.

Total 0

Absent or not voting: Bardanouve, O'Connell.

Total 2

HB 420 - Representative Schye moved that HB 420, second reading copy, be amended as follows:

1. Title, line 8.

Following: “;”

Reinsert: stricken material on line 8

2. Page 3.

Following: line 8

Reinsert: stricken subsection (3), page 2, line 22 through page 3, line 8

Renumber: subsequent subsection

Amendment passed as follows:

Ayes: Abrams, Addy, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: Asay, Glaser, Keyser, Kitselman, Mercer, Pavlovich, Swift, Thomas.

Total 8

Excused: None.

Total 0

Absent or not voting: Bardanouve, Hammond, Hansen, Harrington, O'Connell.

Total 5

That HB 420, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schye, Simon, Smith, Thomas, Waldron, Winslow, Mr. Speaker.

Total 74

Noes: Devlin, Ellerd, Ernst, Glaser, Hannah, Hanson, Jenkins, Keyser, Koehnke, Mercer, J.K. Moore, Nathe, O'Connell, Patterson, Peterson, Sales, Schultz, Spaeth, Swift, Switzer, Thoft, Wallin, Zabrocki.

Total 23

Excused: None.

Total 0

Absent or not voting: Marks, O'Hara, Williams.

Total 3

HB 421 - That HB 421 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Sales.

Total 1

Excused: None.

Total 0

Absent or not voting: Donaldson, Kennerly, Marks, Zabrocki.

Total 4

Representative Abrams excused at this time.

HB 540 - Representative Devlin moved that consideration of HB 540 be passed for the day. Motion carried.

HB 551 - That HB 551 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Cohen, Jenkins.

Total 2

Excused: Abrams.

Total 1

Absent or not voting: Bardanouve, Compton, Ellerd, Iverson, Peterson.

Total 5

HB 561 - That HB 561 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert,

Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Fritz, Keenan, Menahan, Peck, Sales.

Total 5

Excused: Abrams.

Total 1

Absent or not voting: Devlin, Montayne.

Total 2

HB 563 - That HB 563 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 88

Noes: Cody, Fritz, Keenan, Koehnke, Menahan, Sales.

Total 6

Excused: Abrams.

Total 1

Absent or not voting: Bachini, Ellison, Keyser, Montayne, Schye.

Total 5

HB 611 - Representative Devlin moved that HB 611, second reading copy, be amended as follows:

1. Page 2, line 1.

Following: "PERMANENTLY"

Strike: "TATOOED"

Insert: "tattooed or otherwise permanently identified"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici,

Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Cody.

Total 1

Excused: Abrams.

Total 1

Absent or not voting: Montayne, Poff.

Total 2

That HB 611, as amended, do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Rapp-Svrcek, Ream, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: Cody, Connelly, Garcia, Harper, Kadas, Ramirez, Raney, Rehberg, Schye.

Total 9

Excused: Abrams.

Total 1

Absent or not voting: Poff.

Total 1

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman J.K. Moore moved the adoption of the committee report. Representative Waldron made a substitute motion that SB 122 be segregated from the committee report and that, as amended, report be adopted. Motion carried. (93-5)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 160 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg,

Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 97

Noes: Nathe.
Total 1

Excused: Abrams.
Total 1

Absent or not voting: Williams.
Total 1

HB 366 passed as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harrington, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, McCormick, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Peterson, Phillips, Pistoria, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki.
Total 53

Noes: Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harp, Harper, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, Pavlovich, Peck, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Mr. Speaker.
Total 46

Excused: Abrams.
Total 1

Absent or not voting: None.
Total 0

HB 447 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Switzer, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 84

Noes: D. Brown, Cobb, Driscoll, Ellerd, Ellison, Harbin, Hayne, Keyser, Montayne, Nisbet, Quilici, Raney, Ream, Swift, Thoft.
Total 15

Excused: Abrams.
Total 1

Absent or not voting: None.
Total 0

HB 568 passed as follows:

Ayes: Addy, Asay, Bergene, Brandewie, D. Brown, Campbell, Cobb, Compton, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hand, Hannah, Hanson, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Keenan, Keller, Kennerly, Keyser, Kitselman, Lory, Manuel, Marks, Menahan, Miller, Montayne, J.K. Moore, Nathe, Nelson, O'Connell, O'Hara, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sands, Schye, Swift, Switzer, Thoft, Williams, Zabrocki, Mr. Speaker.

Total 63

Noes: Bachini, Bardanouve, Bradley, J. Brown, Cody, Cohen, Connelly, Darko, Ellerd, Glaser, Hammond, Hansen, Harbin, Harper, Jones, Kadas, Koehnke, Krueger, McCormick, Mercer, Miles, J. Moore, Nisbet, Patterson, Peck, Poff, Raney, Sales, Schultz, Simon, Smith, Spaeth, Thomas, Waldron, Wallin, Winslow.

Total 36

Excused: Abrams.

Total 1

Absent or not voting: None.

Total 0

HB 634 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Abrams.

Total 1

Absent or not voting: None.

Total 0

HB 715 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift,

Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki,
Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Abrams.

Total 1

Absent or not voting: None.

Total 0

HB 726 passed as follows:

Ayes: Addy, Asay, Bardanouve, Brandewie, D. Brown, Campbell, Cobb, Cody, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hannah, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Pistoria, Poff, Quilici, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Smith, Spaeth, Switzer, Thomas, Waldron, Williams, Zabrocki.

Total 70

Noes: Bachini, Bergene, Bradley, J. Brown, Cohen, Connelly, Ernst, Glaser, Hansen, Hanson, Harper, Kadas, Keenan, Koehnke, Miles, Miller, O'Hara, Peck, Ramirez, Raney, Schultz, Schye, Simon, Swift, Thoft, Wallin, Winslow, Mr. Speaker.

Total 28

Excused: Abrams.

Total 1

Absent or not voting: Phillips.

Total 1

HB 737 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: Schultz.

Total 1

Excused: Abrams.

Total 1

Absent or not voting: None.

Total 0

HJR 26 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Glaser, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Holliday, Howe, Iverson, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Krueger, McCormick, Manuel, Menahan, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Thomas, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 58

Noes: Asay, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Gould, Grady, Hannah, Hanson, Hayne, Jenkins, Jones, Keller, Keyser, Lory, Marks, Mercer, J.K. Moore, Nathe, Peterson, Poff, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Wallin, Winslow.

Total 40

Excused: Abrams.

Total 1

Absent or not voting: Hart.

Total 1

HJR 27 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Driscoll, Ellison, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Switzer, Thomas, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 84

Noes: Asay, Devlin, Donaldson, Ellerd, Lory, Marks, J.K. Moore, O'Hara, Peterson, Sales, Spaeth, Swift, Thoft, Wallin.

Total 14

Excused: Abrams.

Total 1

Absent or not voting: Ernst.

Total 1

HJR 32 passed as follows:

Ayes: Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Bardanouve, Harbin, Harper, Kadas, Peck, Raney.
Total 6

Excused: Abrams.
Total 1

Absent or not voting: Krueger.
Total 1

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/22/85
Correctly printed: HB 506, HB 597, HB 637, HB 638, HB 670,
HB 680, HB 696, HB 733, HB 743, HB 758, HB 801, HB 815,
HB 828, HB 883, HB 889, HB 890, HB 893, HB 894, HJR 24.
Considered correctly engrossed: HB 747, HB 748, HB 770, HB 774,
HB 775, HB 777.
Delivered to the Governor for his approval at 1:55 p.m., 2/22/85: HB 13,
HB 22, HB 107, HB 141, HB 194, HB 233, HB 316.

BUSINESS AND LABOR (Pavlovich, Chairman): 2/22/85
HB 121, introduced bill, be amended as follows:

1. Title, line 11.
Following: "AMENDING"
Strike: "SECTIONS 69-3-201 AND"
Insert: "SECTION"
2. Page 2, line 24.
Strike: section 1 in its entirety
Renumber: subsequent section
3. Page 4, line 1.
Following: "prescribe"
Strike: remainder of lines 1 and 2 in their entirety
Insert: "a declining block rate structure for electric service, when
cost-justified, where"
4. Page 4, line 8.
Following: "uses."
Strike: remainder of line 8 through "consideration." on line 2, page 5
And, as amended, do pass. Report adopted.

HB 819, introduced bill, be amended as follows: 2/21/85

1. Title, line 7.
Strike: "AGRICULTURAL CHEMICALS,"
2. Page 1, line 17.
Strike: " "
2
3. Page 1, line 18.
Strike: "an agricultural chemical,"
4. Page 1, line 19.
Strike: " "
2
5. Page 1, line 20.
Strike: "agricultural chemical,"
6. Page 2, line 4.
Following: "seed"
Strike: " "
2

Following: "~~grain~~"
Strike: "chemical,"

7. Page 2, line 16.
Strike: "an agricultural chemical,"

8. Page 5, line 1.
Strike: "agricultural chemical,"

9. Page 5, line 5.
Strike: "chemical,"

10. Page 5, line 7.
Strike: "chemical,"

And, as amended, do pass. Report adopted.

HB 840, introduced bill, be amended as follows:

1. Page 1, line 24.
Strike: "\$100"
Insert: "\$250"

And, as amended, do pass. Report adopted.

HB 852, introduced bill, be amended as follows:

2/22/85

1. Page 2, line 21.
Following: "plant"
Strike: ", property,"

2. Page 3, line 14.
Following: "omission"
Insert: ", or its successor,"

3. Page 3, line 16.
Following: "utility"
Strike: "leasing"
Insert: ", as lessee of"

4. Page 3, line 19.
Following: "section"
Insert: ",

And, as amended, do pass. Report adopted.

HB 853, introduced bill, be amended as follows:

1. Title, line 4.
Strike: "ALL"
Insert: "CERTAIN"

2. Page 1, line 13.
Following: "funds"
Insert: ", except a project partially funded with federal aid money from the United States department of transportation,"

3. Page 1, line 18.
Following: "project,"
Insert: "except a project partially funded with federal aid money from the United States department of transportation,"

And, as amended, do pass. Report adopted.

HB 855, introduced bill, be amended as follows:

1. Page 2, line 1.

Following: "to"

Strike: remainder of line 1 through "correct," on line 2

2. Page 2, line 2.

Following: "alleviate"

Strike: remainder of line 2 through "malfunction," on line 3

3. Page 2, line 3.

Following: "syndrome"

Strike: remainder of line 3 through "gravity" on line 5

4. Page 2, line 6.

Strike: "therapeutic"

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 855

A statement of intent is required for this bill because section 5 permits the board of medical examiners to adopt rules in accordance with the Montana Administrative Procedure Act to administer the Roling Practice Act of 1985. It is contemplated that the rules should address the following:

(1) contents of forms for application for examination, licensure, and renewal of license;

(2) fees commensurate with costs for examination, licensure, renewal, and reinstatement;

(3) contents of the written examination required to test an applicant's competency;

(4) minimum score for passing the examination;

(5) criteria for giving board approval for schools of rolting; and

(6) guidelines for comparing licensing requirements in other states for applicants licensed outside Montana.

HB 877, introduced bill, be amended as follows:

1. Page 1, line 17.

Following: "be"

Insert: ": (1)"

2. Page 1, line 21.

Strike: "(1)"

Insert: "(a)"

3. Page 1, line 22.

Strike: "(2)"

Insert: "(b)"

4. Page 1, line 23.

Strike: "(3)"

Insert: "(c)"

Following: "system"

Insert: "; or

(2) approved by the state fire marshal or his designated representative"

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman):

2/22/85

Adverse Committee Reports

HB 324, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Cody, Compton, Devlin, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Hammond, Hand, Hansen, Hanson, Harbin, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Peck, Peterson, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Sales, Sands, Schye, Smith, Waldron, Wallin, Williams, Winslow, Mr. Speaker.
Total 62

Noes: Addy, Bergene, J. Brown, Campbell, Cobb, Cohen, Connelly, Darko, Donaldson, Driscoll, Ellerd, Fritz, Grady, Hannah, Harp, Harper, Harrington, Keyser, Mercer, Miles, O'Hara, Patterson, Pavlovich, Phillips, Quilici, Rehberg, Schultz, Simon, Spaeth, Swift, Thoft, Thomas, Zabrocki.
Total 33

Excused: Abrams.
Total 1

Absent or not voting: Asay, Hart, Pistoria, Switzer.
Total 4

HB 824, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 89

Noes: Devlin, Keyser, Mercer, Nelson, Pavlovich, Phillips, Sands.
Total 7

Excused: Abrams.
Total 1

Absent or not voting: Asay, Hart, Pistoria.
Total 3

HIGHWAYS AND TRANSPORTATION (Harp, Chairman): 2/21/85

HB 383, introduced bill, be amended as follows:

1. Page 1.

Following: line 10

Insert: "Section 1. Legislative findings. The legislature finds a clear and direct relationship between the abandonment of railroad lines by a railroad company and the increased motor vehicle and truck traffic in an area previously served by the abandoned railroad line. The legislature further finds that the increased motor vehicle and truck

traffic resulting from railroad abandonment causes considerable undue wear upon and deterioration of the public highways, posing a serious threat to the health and safety of the citizens of the state and placing a difficult financial burden on state government because of the additional costs of improving, maintaining, and repairing the public highways in an area previously served by the abandoned railroad line. The legislature further finds that:

- (1) it is the unquestionable duty of the state to assure safe and adequate public highways;
- (2) inadequate public highways obstruct the free flow of traffic, increase the costs of motor vehicle operation, endanger public safety on the highways, and generally impede economic progress and interstate commerce;
- (3) absent additional highway funds, railroad abandonment will lead to unsafe and inadequate highways in those areas impacted by such abandonment;
- (4) the additional costs of improving, maintaining, and repairing highways caused by railroad abandonment are not included in the private cost-benefit calculations of a railroad company contemplating abandonment; and
- (5) a portion of the additional highway costs should be borne by the railroad company responsible for producing such costs.

Section 2. Legislative policy and intent. Consistent with the findings in [section 1], the legislature intends:

- (1) that the state provide for adequate and safe public highways in those areas impacted by railroad abandonment;
- (2) to require a railroad company abandoning a railroad line that was potentially profitable to bear a portion of the additional highway costs caused by increased motor vehicle traffic resulting from the abandonment;
- (3) to establish a fair and reasonable method for calculating the amount of the additional highway costs to be borne by the railroad company, payment of which is not required as a condition for engaging in any business activity and is not based on an assessment on real property, a levy on the valuation of personal property, or taxation against a percentage of the assets or income of the railroad company; and
- (4) to impose upon a railroad company only that portion of the increased costs of improving, maintaining, or repairing public highways which can be reasonably attributed to the impact of railroad abandonment.

Section 3. Definitions. As used in [this act], unless the context requires otherwise, the following definitions apply:

- (1) "Abandonment" means cessation of the use of any part of a railroad line or the activity thereon with no intention to use the railroad again or to resume the activity, which abandonment is approved pursuant to the requirements of 49 U.S.C. 10903.
- (2) "Montana rail plan" means the report developed by the department of commerce as part of its railroad planning activities required

by 60-11-101 and the applicable provisions of the federal Railroad Revitalization and Regulatory Reform Act of 1976.

(3) "Rail abandonment highway impact analysis" means the analytical modeling of potential impact to highways as a consequence of railroad abandonment, consisting of a calculation of highway costs attributable to a rail line abandonment, that is included as part of the Montana rail plan.

(4) "Railroad" means any corporation, person, association of persons, or other entity owning or operating a railroad located, in whole or in part, in the state."

Renumber: subsequent sections

2. Page 1, line 14.

Following: "section"

Strike: "2"

Insert: "5"

3. Page 1, line 17.

Following: "section"

Strike: "2"

Insert: "5"

4. Page 1, lines 21 and 22.

Following: "was" on line 21

Insert: "potentially"

Following: "section" on line 22

Strike: "3"

Insert: "6"

Following: "year" on line 22

Insert: ", for a period of no more than 7 years,"

5. Page 2, line 4.

Following: line 3

Strike: "4"

Insert: "7"

6. Page 2, lines 16 and 17.

Following: "section" on line 16

Strike: "2"

Insert: "5"

Following: "considered" on line 17

Insert: "potentially"

7. Page 2, line 25.

Following: "section"

Strike: "2"

Insert: "5"

8. Page 3, line 11.

Following: "section"

Strike: "2"

Insert: "5"

9. Page 3, line 13.

Following: "section"

Strike: "2"

Insert: "5"

10. Page 3.

Following: line 13

Insert: "Section 9. Failure to comply with payment requirements. The failure of a railroad company to make payments as required by [section 5] creates an unpaid debt that is owed to the state. Such unpaid debt may be collected by the seizure and sale of real or personal property in possession of the railroad company within the state.

Section 10. Construction. Nothing in [this act] may be construed to allow the state to abridge or deny the right of a railroad company to pursue abandonment of a railroad line as provided in 49 U.S.C. 10903."

Renumber: subsequent sections

11. Page 3, lines 19 and 20.

Following: "through"

Strike: "4"

Insert: "7, 9, and 10"

12. Page 3, line 21.

Following: "Section"

Strike: "5"

Insert: "8"

13. Page 3, line 24.

Following: line 23

Strike: "5"

Insert: "8"

14. Page 3.

Following: line 24

Insert: "Section 13. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

2/22/85

Adverse Committee Report

HB 780, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Peck, Peterson, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 83

Noes: D. Brown, Connelly, Driscoll, Garcia, Harrington, Keenan, Krueger, Menahan, O'Connell, Pavlovich, Phillips, Schye, Waldron.

Total 13

Excused: Abrams.

Total 1

Absent or not voting: Asay, Hart, Pistoria.
Total 3

TAXATION (Devlin, Chairman):

2/22/85

HB 845, introduced bill, be amended as follows:

1. Title, line 8.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE
AND AN APPLICABILITY DATE"

2. Page 3, line 2.

Following: "misdemeanor"

Insert: "and is punishable as provided in 15-24-204(1)"

3. Page 3.

Following: line 10

Insert: "**NEW SECTION.** Section 8. Effective date — applicability.
This act is effective on passage and approval and applies to taxable
years beginning after December 31, 1984."

And, as amended, do pass. Report adopted.

MOTIONS

Representative McCormick moved that HB 777 be taken from engrossing and referred to the Committee on Appropriations. Motion carried.

Representative Addy moved that Rehberg, Glaser, Patterson, Sands, Keller, Spaeth, Winslow, Hannah, Regan, Keating, Crippen, Bengtson, Towe, Montayne, Hager, Winslow, Ramirez, Garcia, Howe, Abrams, Hanson, Cody, Yellowtail, and Blaylock be added as sponsors to HB 802. Motion carried.

Representative D. Brown moved that Patterson be added as a sponsor to HJR 35. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 8:00 a.m., February 23, 1985.

Motion carried.

House adjourned at 5:10 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

FORTY-SECOND LEGISLATIVE DAY

Helena, Montana
February 23, 1985

House Chambers
State Capitol

House convened at 8:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the forty-first legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/22/85
Correctly printed: HB 66, HB 121, HB 277, HB 383, HB 716, HB 783, HB 799, HB 819, HB 820, HB 840, HB 845, HB 852, HB 853, HB 855, HB 877, HB 878, HB 900, HB 916.
Considered correctly engrossed: HB 421, HB 551, HB 561, HB 563, HB 778, HB 779, HB 790, HB 803, HB 817, HB 837.
Correctly engrossed: HB 18, HB 420, HB 611, HB 763.

HUMAN SERVICES AND AGING (Keenan, Chairman): 2/22/85
HB 472, do pass. Report adopted.
HB 783, introduced bill, be amended as follows:

1. Page 1, line 24.
Following: "50-5-101(19)"
Insert: ", except for those state-operated long-term care facilities for the mentally disabled that already must recognize residents' rights pursuant to Title 53, chapter 20 or 21"
2. Page 5, line 13.
Following: "use."
Insert: "No resident may be confined to a locked room."
3. Page 6, line 18.
Following: "possessions."
Insert: "Each resident has the right to be informed of the facility's policies regarding loss, theft, or destruction of a resident's property retained at the facility."
4. Page 7, lines 7 through 9.
Strike: subsection 17 in its entirety
Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

JUDICIARY (Hannah, Chairman): 2/22/85
HB 529, introduced bill, be amended as follows:

1. Pages 6 and 7.
Following: line 22
Strike: subsection (5) in its entirety
Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

HB 794, introduced bill, be amended as follows:

1. Title, line 6.

Following: "COMMUNICATIONS"

Insert: "; AND PROVIDING A TERMINATION DATE"

2. Page 3, line 17.

Strike: "willfully"

Insert: "purposely"

3. Page 3, line 20.

Strike: "willfully"

Insert: "purposely"

4. Page 4, line 4.

Strike: "willfully"

Insert: "purposely"

5. Page 4, line 9.

Strike: "willfully"

Insert: "purposely"

6. Page 13, line 3.

Following: "dangerous;"

Insert: "and"

7. Page 18, line 3.

Following: "authorized"

Insert: "and a duplicate recording or transcript of the contents of the communication"

8. Page 20.

Following: line 2

Insert: "Section 19. Termination date. This act terminates July 1, 1977."

And, as amended, do pass. Report adopted.

HB 834, introduced bill, be amended as follows:

1. Title, line 6.

Following: "JUDGMENT;"

Insert: "EXCEPTING CHILD SUPPORT AND SPOUSAL MAINTENANCE OBLIGATIONS;"

2. Page 3, line 11.

Following: "loss"

Strike: "," through "\$7,500" on line 12

3. Page 3, line 24.

Strike: "\$500"

Insert: "\$5,000"

4. Page 4, line 5.

Following: "property"

Strike: "not" through "property" on line 6

5. Page 4, line 9.

Strike: "\$3,000"

Insert: "\$5,000"

6. Page 4, line 12.

Strike: "\$750"

Insert: "\$5,000"

7. Page 4, line 18.

Strike: "\$750"

Insert: "\$5,000"

8. Page 4, line 20.

Strike: "\$1,000"

Insert: "\$5,000"

9. Page 5.

Following: line 4

Insert: "Section 9. Exception for child support and spousal maintenance obligations. The exemptions enumerated in [sections 3 through 8] are not applicable to a child support obligation and spousal maintenance obligation."

Re-number: subsequent sections

10. Page 5, line 9.

Following: "through"

Strike: "8"

Insert: "9"

And, as amended, do pass. Report adopted.

HB 911, introduced bill, be amended as follows:

1. Page 2, line 1.

Following: "land."

Insert: "Such privilege may be revoked at any time by personal communication of notice by the landowner or other authorized person to the entering person."

2. Page 2, line 7.

Strike: "written"

Strike: "affixed to"

Insert: "placed on"

3. Page 2, line 8.

Following: "object"

Strike: "that has been marked"

Insert: "by marking it with written notice or"

4. Page 2.

Following: line 13

Strike: subsection (3) in its entirety

Re-number: subsequent subsection

5. Page 2, line 21.

Strike: "accordance"

Insert: "substantial compliance"

6. Page 2, line 22.

Following: "(2)"

Strike: "and" through "(3)" on line 23

7. Page 2.

Following: line 23

Strike: "from" through "point" on line 2, page 3

Insert: "unless explicit permission to enter is given by the landowner or his authorized agent"

8. Page 3.

Following: line 2

Insert: "(4) The department of fish, wildlife, and parks shall attempt to educate and inform all persons holding hunting, fishing, or trapping licenses or permits by including on any publication concerning

such licenses or permits, in condensed form, the provisions of this section concerning entry on private land."

9. Page 3.

Following: line 4

Insert: "(6) In no event shall civil liability be imposed upon the owner or occupier of premises by reason of any privilege created by this section."

And, as amended, do pass. Report adopted.

HB 918, introduced bill, be amended as follows:

1. Page 1, line 11.

Strike: "an express"

2. Page 1, line 14.

Following: "by"

Strike: "a"

Insert: "statute or"

3. Page 1, line 15.

Following: "employment"

Strike: ", "

Insert: "or"

4. Page 1, line 16.

Following: "probation"

Strike: ", or" through "reasons" on line 17

5. Page 1, line 19.

Following: "unless"

Strike: "there is an express"

Insert: "the termination violates a statute or"

Following: "employment"

Strike: "that the termination violates"

6. Page 1, line 23.

Following: "employment,"

Strike: "an"

Insert: "a good faith"

7. Page 2.

Following: line 8

Strike: subsection (7) in its entirety

And, as amended, do pass. Report adopted.

HJR 37, introduced bill, be amended as follows:

1. Page 3, line 12.

Following: "children"

Insert: ", and that the Court report the results of its study to the 50th Legislature"

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 533, introduced bill, be amended as follows:

1. Title, lines 5 and 6.

Strike: "A PORTION OF AWARDS"

Insert: "ONE-FOURTH OF EACH AWARD"

2. Page 2, line 3.

Following: "defendant."

Strike: "Punitive" through "remainder to" on line 14

Insert: "One-fourth of the damage award must"

Renumber: subsequent subsection

And, as amended, do not pass.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Menahan,
Chairman):

2/22/85

HB 910, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Senate bills passed and transmitted to the House for concurrence: 2/22/85

SB 55, introduced by Towe

SB 274, introduced by Farrell

SB 275, introduced by Eck, et al.

SB 294, introduced by Crippen, et al.

SB 306, introduced by Haffey, et al.

SB 321, introduced by Fuller, et al.

SB 323, introduced by Hager

SB 328, introduced by B. Brown, Daniels

SB 359, introduced by Yellowtail

SB 407, introduced by B. Williams, et al.

SJR 15, introduced by Christiaens, et al.

SJR 16, introduced by Yellowtail, et al.

MOTIONS

Representative Marks moved that this day be noted as John Vincent Wardrobe Day. Motion carried. (85-9) He then suggested that the staff, membership, lobbyists, and aides wearing regulation navy blue blazer and khaki trousers escort themselves to the well of the House and be recorded on film. Chief Clerk Ed Smith pinned a boutonniere on the real Speaker Vincent in order to distinguish him from the look-alikes, and the group of fifty or more were duly recorded.

Representative Pistoria moved that consideration of HB 368, second reading this day, be passed until the 50th legislative day. Motion carried.

Representative Fritz moved that HB 754 be taken from second reading and referred to the Committee on State Administration. Motion carried.

Representative Harper moved that the House recess until 9:00 a.m. to allow both parties to caucus. Motion carried.

House recessed at 8:22 a.m.

House reconvened at 9:15 a.m.

Mr. Speaker in the Chair.

Representatives Donaldson, Hand, J.K. Moore, and Peck excused at this time.

Representative Bradley moved that consideration of HB 301 be indefinitely postponed. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 90

Noes: Cohen, Harbin, Sales.

Total 3

Excused: Donaldson, Hand, J.K. Moore, Peck.

Total 4

Absent or not voting: Bardanouve, Bergene, J. Moore.

Total 3

Representative Nelson moved that HB 626 be moved to the top of the second reading board. Motion carried.

Representative Waldron moved that SB 122 be placed below HB 626 on the second reading board. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Menahan in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 626 - That HB 626 do pass. Motion failed as follows:

Ayes: Bergene, Cody, Cohen, Compton, Connelly, Darko, Driscoll, Fritz, Gilbert, Hammond, Harbin, Harrington, Kadas, Keenan, Keyser, Kitselman, Menahan, Nelson, Nisbet, O'Connell, Raney, Ream, Schye, Waldron, Winslow.

Total 25

Noes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Devlin, Ellerd, Ellison, Ernst, Eudaily, Garcia, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 70

Excused: Donaldson, Hand, J.K. Moore, Peck.

Total 4

Absent or not voting: Krueger.

Total 1

That HB 626 do not pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Devlin, Driscoll, Ellerd, Ernst, Eudaily, Garcia, Glaser, Gould, Grady, Hannah, Hanson, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Keller, Kennerly, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 70

Noes: Bergene, Cody, Cohen, Compton, Connelly, Darko, Ellison, Fritz, Gilbert, Hammond, Harbin, Harrington, Kadas, Keenan, Kitselman, Menahan, Nelson, Nisbet, Raney, Ream, Schye, Waldron, Winslow.

Total 23

Excused: Donaldson, Hand, J.K. Moore, Peck.

Total 4

Absent or not voting: Bardanouve, Hansen, Jones.

Total 3

SB 122 - Representative Waldron moved that SB 122, third reading copy, be amended as follows:

1. Representative Bardanouve's amendments of 2/22/85, 9:50 a.m.

Strike: the amendments in their entirety

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: Bardanouve.

Total 1

Excused: Donaldson, Hand, J.K. Moore, Peck.

Total 4

Absent or not voting: None.

Total 0

That SB 122, as amended, be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hansen,

Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Donaldson, Hand, J.K. Moore, Peck.

Total 4

Absent or not voting: None.

Total 0

HB 704 - That HB 704 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardonouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Donaldson, Hand, J.K. Moore, Peck.

Total 4

Absent or not voting: Nathe, Smith.

Total 2

HB 711 - Representative Cohen moved that HB 711, second reading copy, be amended as follows:

1. Page 4, lines 15 and 16.

Strike: "Violation" through "[section 4]"

Insert: "(1) A person involved in the sale or commercial distribution of any phosphorus compound prohibited by an ordinance adopted under [section 4] must be notified by the county and must be given 30 days from receipt of such notice to comply with the ordinance. Failure to comply with the ordinance following this 30-day period"

2. Page 4.

Following: line 17

Insert: "(2) The penalty provided for in subsection (1) applies only to persons engaged in the sale or commercial distribution of prohibited phosphorus compounds. The county may not prosecute or otherwise penalize a person for using a phosphorus compound regulated by an ordinance adopted under [section 4]."

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Campbell, Ellison.

Total 2

Excused: Donaldson, Hand, J.K. Moore, Peck.

Total 4

Absent or not voting: None.

Total 0

Representatives Holliday and Schultz excused at this time.

That HB 711, as amended, do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cohen, Compton, Connelly, Darko, Driscoll, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Hammond, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Sands, Schye, Simon, Spaeth, Switzer, Thomas, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 73

Noes: Abrams, Campbell, Cobb, Cody, Devlin, Ellerd, Ellison, Gilbert, Grady, Hand, Hayne, Koehnke, Lory, O'Hara, Peterson, Rehberg, Sales, Smith, Swift, Thoft, Wallin.

Total 21

Paired: Keenan, Aye; Hand, No.

Excused: Donaldson, Holliday, J.K. Moore, Peck, Schultz.

Total 5

Absent or not voting: Miller.

Total 1

HB 764 - That HB 764 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson,

Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 89

Noes: Ellerd, Sales.
Total 2

Excused: Donaldson, Hand, Holliday, J.K. Moore, Peck, Schultz.
Total 6

Absent or not voting: D. Brown, Cohen, Nelson.
Total 3

HB 781 - That HB 781 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Waldron, Wallin, Williams, Zabrocki, Mr. Speaker.
Total 87

Noes: Miller, Thomas.
Total 2

Excused: Donaldson, Hand, Holliday, J.K. Moore, Peck, Schultz.
Total 6

Absent or not voting: Brandewie, D. Brown, Ellison, Harp, Winslow.
Total 5

HB 786 - That HB 786 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Donaldson, Hand, Holliday, J.K. Moore, Peck, Schultz.
Total 6

Absent or not voting: Kadas, Keyser, Marks.
Total 3

HB 788 - That HB 788 do pass. Motion carried as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 85

Noes: Cody, Hansen, Harper, Schye.

Total 4

Excused: Donaldson, Hand, Holliday, J.K. Moore, Peck, Schultz.

Total 6

Absent or not voting: Addy, Keyser, Koehnke, Marks, Quilici.

Total 5

HB 796 - That HB 796 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sands, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 86

Noes: Fritz, Hannah, Jones, Ramirez, Rehberg, Sales, Switzer.

Total 7

Excused: Donaldson, Hand, Holliday, J.K. Moore, Peck, Schultz.

Total 6

Absent or not voting: Harp.

Total 1

HB 806 - That HB 806 do pass. Motion carried as follows:

Ayes: Bachini, Bergene, D. Brown, Campbell, Cobb, Cody, Connelly, Darko, Devlin, Driscoll, Fritz, Garcia, Gilbert, Gould, Hammond, Hannah, Harbin, Harp, Harrington, Hart, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Krueger, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Ream, Rehberg, Sands, Schye, Switzer, Waldron, Williams, Zabrocki.

Total 53

Noes: Abrams, Addy, Asay, Bardanouve, Bradley, Brandewie, J. Brown, Cohen, Compton, Ellerd, Ellison, Ernst, Eudaily, Glaser, Grady, Hansen, Hanson, Harper, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Lory, Marks, Nelson, Patterson, Poff, Rapp-Svrcek, Sales, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 41

Excused: Donaldson, Hand, Holliday, J.K. Moore, Peck, Schultz.

Total 6

Absent or not voting: None.

Total 0

Representative Peck present at this time.

HB 807 - That HB 807 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Harbin, Harp, Harrington, Hayne, Howe, Iverson, Jenkins, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: Connelly, Harper, Hart, Kadas.

Total 4

Excused: Donaldson, Hand, Holliday, J.K. Moore, Schultz.

Total 5

Absent or not voting: Hammond, Jones.

Total 2

Representative J.K. Moore present at this time.

HB 808 - That HB 808 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hanson, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Hansen.

Total 1

Excused: Donaldson, Hand, Holliday, Schultz.

Total 4

Absent or not voting: Harbin, Krueger, Menahan.

Total 3

Representative Donaldson present at this time.

HB 809 - That HB 809 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Hand, Holliday, Schultz.

Total 3

Absent or not voting: Peck.

Total 1

Representative Hand present at this time.

HB 825 - Representative Pavlovich moved that consideration of HB 825 be passed for the day for the purpose of amendment. Motion carried.

HB 830 - Representative Darko moved that HB 830 be placed below HB 846 for the purpose of amendment. Motion carried.

HB 842 - Representative Waldron moved that HB 842, second reading copy, be amended as follows:

1. Title, line 5.

Strike: "FUND"

Insert: "ACCOUNT"

2. Title, line 9.

Strike: "FUND"

Insert: "ACCOUNT"

3. Page 1, line 16.

Strike: "fund"

Insert: "account"

4. Page 1, line 25.

Strike: "including the university system,"

5. Page 2, line 2.

Strike: "and the legislative finance committee"

Insert: "appropriate legislative committees or a designated representative"

6. Page 2, line 3.

Following: "agencies"

Insert: ", or the board of regents or its designated representative for the university system"

7. Page 2, line 9.

Strike: "Fund"

Insert: "Account"

8. Page 2, lines 9, 11, 14, 18, 24, and 25.

Strike: "fund"

Insert: "account"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Holliday, Schultz.

Total 2

Absent or not voting: Connelly, Hand, Manuel, Nathe.

Total 4

That HB 842, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schye, Simon, Smith, Switzer, Thoft, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 89

Noes: Sales, Spaeth, Swift, Thomas.

Total 4

Excused: Holliday, Schultz.

Total 2

Absent or not voting: Connelly, Kennerly, Koehnke, Nathe, Pavlovich.

Total 5

HB 846 - That HB 846 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Hammond, Hand, Hansen, Harbin, Harp, Harrington, Hart, Hayne, Iverson, Jenkins, Kadas, Keenan, Keller, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Raney,

Ream, Sands, Schye, Smith, Switzer, Waldron, Wallin, Williams, Mr. Speaker.

Total 67

Noes: Asay, Bergene, Connelly, Devlin, Ellerd, Ellison, Glaser, Grady, Hannah, Hanson, Harper, Howe, Jones, Kennerly, Keyser, Marks, Mercer, O'Hara, Patterson, Peterson, Ramirez, Rapp-Svrcek, Rehberg, Sales, Simon, Spaeth, Swift, Thoft, Thomas, Winslow, Zabrocki.

Total 31

Excused: Holliday, Schultz.

Total 2

Absent or not voting: None.

Total 0

HB 830 - Representative Campbell moved that HB 830, second reading copy, be amended as follows:

1. Title, line 12.

Following: "DATE"

Insert: "AND AN APPLICABILITY DATE"

2. Page 2, line 1.

Following: "date"

Insert: "— applicability"

3. Page 2, line 2.

Following: "approval"

Insert: "and applies to state employees hired after the effective date"

Amendment passed as follows:

Ayes: Abrams, Asay, Bachini, Bergene, Bradley, Brandewie, Campbell, Cobb, Cody, Compton, Connelly, Devlin, Driscoll, Ernst, Eudaily, Glaser, Gould, Grady, Hannah, Hanson, Harp, Harrington, Iverson, Jones, Kennerly, Keyser, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Phillips, Ramirez, Rehberg, Sales, Sands, Simon, Smith, Swift, Thoft, Wallin, Williams, Winslow, Zabrocki.

Total 53

Noes: Addy, Bardanouve, D. Brown, J. Brown, Cohen, Darko, Ellison, Fritz, Garcia, Gilbert, Hammond, Hansen, Harbin, Harper, Hart, Hayne, Howe, Jenkins, Kadas, Keenan, Keller, Kitselman, Miles, Montayne, Nelson, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Spaeth, Switzer, Thomas, Waldron, Mr. Speaker.

Total 40

Excused: Holliday, Schultz.

Total 2

Absent or not voting: Donaldson, Ellerd, Hand, J.K. Moore, Schye.

Total 5

HB 830 - Representative J. Moore moved that HB 830, as amended, do pass. Representative Pistoria made a substitute motion that consideration of HB 830 be passed for the day. Motion failed.

Representative Ramirez made a further substitute motion that consideration of HB 830 be passed for the day. Motion carried.

HB 871 - Representative J. Brown moved that HB 871 do pass. Representative J. Brown made a substitute motion that HB 81 be placed below HB 329. Motion carried.

HB 875 - That HB 875 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Holliday, Schultz.

Total 2

Absent or not voting: J. Brown, Garcia, Poff.

Total 3

HJR 29 - Representative Sands moved that HJR 29, second reading copy, be amended as follows:

1. Title, line 11.

Strike: "RESOLUTION"

Insert: "APPLICATION"

2. Page 2, line 4.

Strike: "resolution"

Insert: "application"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Campbell, Cobb, Cohen, Compton, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Hayne, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Mr. Speaker.

Total 78

Noes: Brandewie, D. Brown, Cody, Connelly, Driscoll, Fritz, Harrington, Hart, Kadas, Keenan, Krueger, McCormick, Menahan, Miles, Montayne, Pistoria, Ream, Spaeth, Zabrocki.

Total 19

Excused: Holliday, Schultz.

Total 2

Absent or not voting: Hansen.

Total 1

That HJR 29, as amended, do pass. Motion failed. (45-55)

That HJR 29, as amended, do not pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Donaldson, Driscoll, Eudaily, Fritz, Garcia, Hammond, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.
Total 55

Noes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Ellerd, Ellison, Ernst, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.
Total 45

Paired: Holliday, Quilici, Ayes; Hannah, Schultz, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Harper moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Menahan moved the adoption of the committee report. Report adopted. (88-9)

MOTIONS

Representative Waldron moved that the rules be temporarily suspended to allow SB 122 to be heard on third reading this day. Motion carried.

Representative Montayne moved that his vote on HB 626, do pass on second reading this day, be changed from yes to no. Motion carried.

Representative Harper moved that the House recess until 1:30 p.m. Motion carried.

House recessed at 12:30 p.m.

House reconvened at 1:30 p.m.

Mr. Speaker in the Chair.

Representatives Driscoll, Harrington, McCormick, Menahan, and Pavlovich excused at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/23/85
Correctly printed: HB 472, HB 910.

BUSINESS AND LABOR (Pavlovich, Chairman): 2/23/85
HB 901, introduced bill, be amended as follows:

1. Page 2, line 3.
Following: "into"
Strike: remainder of line 3

And, as amended, do pass. Report adopted.

HJR 13, introduced bill, be amended as follows:

1. Title, line 6.

Following: "TO"

Strike: remainder of lines 6 through 8 in their entirety

Insert: "ASSIST IN INCREASING MARKETS FOR MONTANA COAL BY USING RESTRAINT IN RAISING FREIGHT RATES."

2. Page 2, line 8.

Following: "by"

Strike: remainder of line 8 through "1991" on line 10

Insert: "assisting in efforts to increase markets for Montana coal"

3. Page 2, line 11.

Following: "Railroad"

Strike: remainder of line 11 through "1991," on line 12

And, as amended, do pass. Report adopted.

HJR 38, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman):

2/22/85

HB 849, introduced bill, be amended as follows:

1. Page 2, line 6.

Strike: "local executive board of any unit"

Insert: "board of regents"

2. Page 6, lines 11 and 12.

Strike: "local executive board of any unit"

Insert: "board of regents"

3. Page 6, line 14.

Strike: "local executive board"

Insert: "board of regents"

4. Page 8, line 5.

Strike: ", degrees,"

5. Page 8, lines 15 and 16.

Following: "certificates"

Strike: ", "

Insert: "and"

Following: "diploma"

Strike: ", and applied associate degrees"

6. Page 18, line 21.

Following: "by"

Insert: "or at the direction of"

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 849

Rulemaking is granted in various sections of the bill relative to the operation of postsecondary vocational-technical centers and the postsecondary vocational-technical center system. Rules would relate to tuition, budgets and other financial responsibilities, center education qualifications, personnel controversy appeal, student residency, student records and privacy concerns, and administration of a work-study program.

It is intended that rules adopted by the superintendent of public instruction aim towards coordination of responsibilities of the superintendent and

local trustees of the centers. The rules should not conflict with the local decisionmaking authority but address only those matters of systemwide concern necessary for uniform operation of the system.

HB 879, introduced bill, be amended as follows:

1. Title, line 7.
Following: "YEAR"
Strike: "1985-1986"
Insert: "1986-1987"
2. Page 4, line 14.
Following: "year"
Strike: "1985-1986"
Insert: "1986-1987"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 867, do not pass.

HB 902, do not pass.

JUDICIARY (Hannah, Chairman):

2/23/85

Adverse Committee Report

HB 533 - Representatives Thomas, Ramirez, Keyser, Hannah, Eudaily, Gould, Cobb, O'Hara, Bergene, Ellerd, Nathe, Swift, Marks, Devlin, Winslow, Phillips, Iverson, Compton, Rehberg, and Lory objected to the adverse committee report on HB 533, and requested that the bill be printed and placed on second reading.

2/23/85

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 920, introduced by Menahan, Keenan, Quilici, Harrington, Campbell, Pavlovich. Referred to Committee on Appropriations.

HB 921, introduced by Thoft, Ernst, Schultz, B. Williams, Van Valkenburg, (By Request of the House Appropriations Committee). Referred to Committee on State Administration.

HB 922, introduced by Harper, Thoft, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Appropriations.

HJR 39, introduced by Menahan, Raney, Rapp-Svrcek, Harper, Hart, Addy, Holliday, Montayne, Driscoll, Fritz, Howe, Zabrocki, Spaeth, Hansen, Kadas, Harp, Vincent, Waldron, Connelly, Bradley, Koehnke. Referred to Committee on Business and Labor.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative J.K. Moore in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 33 - That HJR 33 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton,

Connelly, Darko, Devlin, Donaldson, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Williams, Zabrocki, Mr. Speaker.
Total 84

Noes: None.

Total 0

Excused: Driscoll, Harrington, Holliday, McCormick, Manuel, Menahan, Pavlovich, Schultz.

Total 8

Absent or not voting: Ellison, Hansen, Keyser, J. Moore, Poff, Sands, Wallin, Winslow.

Total 8

Representatives Driscoll, Harrington, Manuel, Menahan, and Pavlovich present at this time.

HJR 34 - That HJR 34 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 96

Noes: Lory.

Total 1

Excused: Holliday, McCormick, Schultz.

Total 3

Absent or not voting: None.

Total 0

HB 66 - Representative Patterson moved that HB 66, second reading copy, be amended as follows:

1. Title, line 5.

Strike: "18"

Insert: "16"

2. Page 1, line 12.

Strike: "18"

Insert: "16"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly,

Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Holliday, McCormick, Schultz.

Total 3

Absent or not voting: Campbell, Donaldson, Mercer, Rapp-Svrcek, Sales.

Total 5

That HB 66, as amended, do pass. Motion failed as follows:

Ayes: Addy, Asay, Bardanouve, Bergene, Connelly, Darko, Donaldson, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Hammond, Harbin, Harrington, Hart, Hayne, Jones, Kitselman, Krueger, Lory, Miller, J.K. Moore, J. Moore, Nisbet, O'Connell, O'Hara, Patterson, Peterson, Phillips, Pistoria, Quilici, Raney, Sales, Sands, Smith, Thomas, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 43

Noes: Abrams, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Devlin, Driscoll, Ellerd, Garcia, Grady, Hand, Hansen, Hanson, Harp, Harper, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Koehnke, Manuel, Marks, Menahan, Mercer, Miles, Montayne, Nathe, Nelson, Pavlovich, Peck, Poff, Ramirez, Rapp-Svrcek, Ream, Rehberg, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Waldron, Williams.

Total 52

Excused: Holliday, McCormick, Schultz.

Total 3

Absent or not voting: Cohen, Hannah.

Total 2

That HB 66, as amended, do not pass. Motion carried as follows:

Ayes: Abrams, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Devlin, Donaldson, Driscoll, Ellerd, Fritz, Garcia, Grady, Hand, Hannah, Hansen, Hanson, Harp, Harper, Howe, Iverson, Jenkins, Keenan, Keller, Kennerly, Koehnke, Manuel, Marks, Menahan, Mercer, Montayne, J. Moore, Nathe, Nelson, Pavlovich, Peck, Poff, Rapp-Svrcek, Ream, Rehberg, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Waldron, Williams.

Total 52

Noes: Addy, Asay, Bardanouve, Bergene, Campbell, Darko, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Harbin, Harrington, Hart, Hayne, Jones, Keyser, Kitselman, Krueger, Lory, Miles, Miller, J.K. Moore, Nisbet, O'Connell, O'Hara, Patterson, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Sales, Sands, Smith, Thomas, Wallin, Winslow, Zabrocki, Mr. Speaker.

Total 42

Excused: Holliday, McCormick, Schultz.

Total 3

Absent or not voting: Connelly, Hammond, Kadas.

Total 3

HB 121 - That HB 121 do pass. Motion carried as follows:

Ayes: Abrams, Asay, Bergene, Brandewie, D. Brown, Campbell, Cobb, Cody, Cohen, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Fritz, Garcia, Gilbert, Grady, Hand, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Keller, Keyser, Kitselman, Manuel, Marks, Miller, Montayne, J.K. Moore, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Poff, Ramirez, Rehberg, Sales, Schye, Switzer, Thomas, Wallin.

Total 48

Noes: Addy, Bachini, Bardanouve, Bradley, J. Brown, Connelly, Darko, Driscoll, Glaser, Gould, Hammond, Hansen, Harbin, Harper, Harrington, Hart, Howe, Jones, Kadas, Keenan, Kennerly, Koehnke, Krueger, Lory, Menahan, Miles, J. Moore, Nisbet, O'Hara, Pavlovich, Peck, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Sands, Simon, Smith, Spaeth, Swift, Thoft, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 47

Excused: Holliday, McCormick, Schultz.

Total 3

Absent or not voting: Eudaily, Mercer.

Total 2

Representative Nelson excused at this time.

HB 277 - That HB 277 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Holliday, McCormick, Nelson, Schultz.

Total 4

Absent or not voting: Campbell, Montayne, Pistoria.

Total 3

HB 329 - Representative Hannah moved that HB 329, second reading copy, be amended as follows:

1. Page 3, line 9.

Following: "OWNER"

Strike: "OF"

Insert: "for"

2. Page 3, line 10.

Following: "IS"

Strike: "NECESSARY"

Insert: "unnecessary"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Holliday, McCormick, Nelson, Schultz.

Total 4

Absent or not voting: Bardanouve, Lory, Nathe.

Total 3

Representative Harrington excused at this time.

That HB 329, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Brandewie, D. Brown, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hannah, Hansen, Hanson, Harp, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, Marks, Menahan, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Peck, Peterson, Phillips, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Winslow, Zabrocki, Mr. Speaker.

Total 69

Noes: Bradley, J. Brown, Campbell, Cohen, Driscoll, Glaser, Hand, Harbin, Harper, Hart, Hayne, Keenan, Koehnke, Manuel, Miller, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Pistoria, Quilici, Sales, Schye, Wallin, Williams.

Total 26

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: None.

Total 0

HB 871 - Representative J. Brown moved that HB 871, second reading copy, be amended as follows:

1. Title, line 5.

Strike: "HONOR"

Insert: "VALOR"

2. Page 1, lines 9, 12, 16, and 22.

Strike: "honor"

Insert: "valor"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: Waldron.

Total 1

That HB 871, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: Nathe.

Total 1

HB 363 - Representative Mercer moved that HB 363, second reading copy, be amended as follows:

1. Page 2.

Following: line 8

Insert: "(4) A defendant is guilty of oppression if he intentionally causes cruel and unjust hardship by:

- (a) misuse or abuse of authority or power; or
- (b) taking advantage of some weakness, disability, or misfortune of another person."

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 89

Noes: Fritz, Pavlovich, Quilici, Sands.
Total 4

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.
Total 5

Absent or not voting: Kennerly, O'Connell.
Total 2

Representative Mercer moved that HB 363, second reading copy, be further amended as follows:

1. Page 2.

Following: line 8

Insert: "(5) Punitive damages may not be awarded to a plaintiff in an amount in excess of \$500,000."

Amendment passed as follows:

Ayes: Asay, Bergene, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, Manuel, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Rehberg, Sales, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki.
Total 60

Noes: Abrams, Addy, Bachini, Bardanouve, Bradley, D. Brown, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hansen, Harbin, Harper, Hart, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, Menahan, Miles, Montayne, J. Moore, Nisbet, Pavlovich, Quilici, Raney, Rapp-Svrcek, Ream, Sands, Schye, Spaeth, Waldron, Mr. Speaker.
Total 38

Paired: Holliday, Nelson, Schultz, Ayes; Harper, Keenan, Quilici, Noes.

Excused: Harrington, McCormick.
Total 2

Absent or not voting: None.

Total 0

That HB 363, as amended, do pass. Motion carried as follows:

Ayes: Asay, Bachini, Bergene, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, Manuel, Marks, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki.

Total 66

Noes: Abrams, Addy, Bardanouve, Bradley, D. Brown, Cohen, Connelly, Darko, Driscoll, Garcia, Hammond, Hansen, Harper, Hart, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, Menahan, Miles, Montayne, Nisbet, Pavlovich, Quilici, Raney, Rapp-Svrcek, Ream, Sands, Waldron, Mr. Speaker.

Total 32

Paired: Holliday, Nelson, Schultz, Ayes; Keenan, Menahan, Rapp-Svrcek, Noes.

Excused: Harrington, McCormick.

Total 2

Absent or not voting: None.

Total 0

HB 383 - That HB 383 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Driscoll, Ellerd, Ellison, Fritz, Garcia, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Koehnke, Krueger, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schye, Smith, Spaeth, Switzer, Thoft, Thomas, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 81

Noes: Donaldson, Eudaily, Gilbert, Kitselman, Lory, Sands, Simon, Swift, Wallin.

Total 9

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: Devlin, Ernst, Hansen, Marks, Pavlovich.

Total 5

HB 506 - That HB 506 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser,

Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: O'Connell, Pavlovich.

Total 2

HB 540 - Representative Devlin moved that HB 540, second reading copy, be amended as follows:

1. Page 4.

Following: line 20

Insert: "Section 5. Gifts and grants to program. The Montana children's trust fund board may accept federal and other contributions, gifts, and grants, in money or otherwise, to the child abuse and neglect prevention program and may use funds in the account established by [section 1] to match contributions, gifts, and grants. Monetary contributions, gifts, and grants must, upon receipt, be paid into the account established by [section 1]."

Renumber: subsequent section

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Bardanouve.

Total 1

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: Montayne, O'Connell.

Total 2

That HB 540, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bergene, Brandewie, D. Brown, Campbell, Cobb, Cody, Compton, Devlin, Ellison, Ernst, Eudaily, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harbin, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Mercer, Miller, Montayne, J.K. Moore, Nathe, Nisbet, O'Hara, Patterson,

Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Rehberg, Sands, Simon, Smith, Spaeth, Swift, Switzer, Thomas, Wallin, Winslow, Zabrocki.

Total 59

Noes: Bachini, Bardanouve, Bradley, J. Brown, Cohen, Connelly, Darko, Donaldson, Driscoll, Ellerd, Fritz, Garcia, Gilbert, Hammond, Hand, Harper, Hart, Howe, Kadas, Keenan, Kennerly, Menahan, Miles, J. Moore, Poff, Raney, Rapp-Svrcek, Ream, Sales, Schye, Thoft, Waldron, Williams, Mr. Speaker.

Total 34

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: Krueger, O'Connell.

Total 2

HB 733 - Representative Hansen moved that HB 733 do pass. Representative Hansen made a substitute motion that consideration of HB 733 be passed for the day due to lack of a fiscal note. Motion carried.

Representative Addy excused at this time.

HB 597 - That HB 597 do pass. Motion carried as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Eudaily, Fritz, Garcia, Hammond, Hand, Hannah, Harbin, Harp, Harper, Hayne, Jones, Keenan, Keller, Keyser, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Smith, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Zabrocki, Mr. Speaker.

Total 65

Noes: Campbell, Compton, Ellison, Ernst, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Howe, Iverson, Jenkins, Kadas, Kennerly, Kitselman, Mercer, O'Hara, Patterson, Peterson, Phillips, Sales, Sands, Schye, Simon, Spaeth, Switzer.

Total 27

Excused: Addy, Harrington, Holliday, McCormick, Nelson, Schultz.

Total 6

Absent or not voting: Hart, Winslow.

Total 2

HB 637 - That HB 637 do pass. Motion carried as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 90

Noes: Campbell.

Total 1

Excused: Addy, Harrington, Holliday, McCormick, Nelson, Schultz.

Total 6

Absent or not voting: Fritz, Hansen, Nathe.

Total 3

Representative Addy present at this time.

HB 638 - That HB 638 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Campbell.

Total 1

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: Bergene, Nathe.

Total 2

HB 670 - That HB 670 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Campbell.

Total 1

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: Harbin, Sands.

Total 2

HB 680 - Representative Peck moved that HB 680, second reading copy, be amended. Amendment failed. (31-65)

Representative Spaeth moved that HB 680, second reading copy, be amended. Amendment failed. (25-71)

That HB 680 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: Bachini, Connelly, Howe, Kennerly, J. Moore, Peck, Quilici, Spaeth.
Total 8

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.
Total 5

Absent or not voting: None.
Total 0

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman J.K. Moore moved the adoption of the committee report. Report adopted. (88-4)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 384 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Fritz, Garcia, Glaser, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Hart, Howe, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Krueger, Lory, Manuel, Menahan, Miles, Miller, Montayne, Nathe, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Spaeth, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 71

Noes: Brandewie, Ellison, Ernst, Eudaily, Gilbert, Gould, Harp, Hayne, Jenkins, Keyser, Koehnke, Marks, Mercer, J.K. Moore, J. Moore, Patterson, Phillips, Pistoria, Smith, Swift, Thoft, Thomas.
Total 22

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.
Total 5

Absent or not voting: Campbell, Switzer.
Total 2

HB 420 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keenan, Kennerly, Kitselman, Krueger, Lory, Manuel, Marks, Menahan, Miles, Miller, Montayne, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schye, Simon, Smith, Spaeth, Switzer, Thomas, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 78

Noes: Ernst, Glaser, Hannah, Jenkins, Keller, Keyser, Koehnke, Mercer, J.K. Moore, Patterson, Peterson, Sales, Swift, Thoft, Wallin.

Total 15

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: Quilici, Sands.

Total 2

HB 421 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Sales.

Total 1

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: None.

Total 0

HB 497 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: None.

Total 0

HB 551 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Cohen.

Total 1

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: None.

Total 0

HB 561 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: Fritz, Koehnke, Sales.

Total 3

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: Bardanouve.

Total 1

HB 563 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst,

Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: Cody, Fritz, Koehnke, Sales.

Total 4

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: None.

Total 0

HB 694 passed as follows:

Ayes: Asay, Brandewie, D. Brown, Campbell, Devlin, Donaldson, Ellerd, Ellison, Ernst, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Harp, Harrington, Hayne, Jenkins, Jones, Keller, Keyser, Kitselman, Krueger, McCormick, Marks, Menahan, Mercer, Miller, J.K. Moore, Nathe, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rehberg, Sales, Sands, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 51

Noes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Driscoll, Eudaily, Fritz, Garcia, Hammond, Hansen, Hanson, Harbin, Harper, Hart, Howe, Iverson, Kadas, Keenan, Kennerly, Koehnke, Lory, Manuel, Miles, Montayne, J. Moore, Nisbet, O'Connell, Peck, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.

Total 46

Paired: Harrington, McCormick, Ayes; Cohen, Miles, Noes.

Excused: Holliday, Nelson, Schultz.

Total 3

Absent or not voting: None.

Total 0

HB 712 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harbin, Harper, Hart, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 86

Noes: Cohen, Hansen, Harp, Hayne, Howe, Keller, Nathe, Wallin.

Total 8

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: Keyser.

Total 1

HB 717 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Keyser, Pavlovich, Raney.

Total 3

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: None.

Total 0

HB 722 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: D. Brown, Switzer.

Total 2

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: None.

Total 0

HB 729 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst,

Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Cohen.

Total 1

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: None.

Total 0

HB 738 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: None.

Total 0

HB 747 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 87

Noes: Bardanouve, Bergene, Cohen, Ellison, Kadas, Marks, Peck, Raney.

Total 8

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: None.

Total 0

HB 748 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: Hannah.

Total 1

HB 763 passed as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ernst, Garcia, Gilbert, Glaser, Gould, Hammond, Hand, Hansen, Harbin, Harp, Hart, Hayne, Howe, Iverson, Jenkins, Keenan, Keller, Kennerly, Keyser, Krueger, Manuel, Marks, Menahan, Mercer, J.K. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Simon, Smith, Spaeth, Swift, Switzer, Thomas, Wallin, Williams, Winslow, Zabrocki.

Total 63

Noes: Bachini, Bergene, Bradley, Donaldson, Ellerd, Ellison, Eudaily, Fritz, Grady, Hannah, Hanson, Harper, Jones, Kadas, Kitselman, Koehnke, Lory, Miles, Miller, Montayne, J. Moore, Peck, Peterson, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Thoft, Waldron, Mr. Speaker.

Total 32

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: None.

Total 0

HB 770 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke,

Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Hanson, Keller, Nathe.

Total 3

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: None.

Total 0

HB 774 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: None.

Total 0

HB 775 passed as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Bachini, Hammond, Peck.

Total 3

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: None.

Total 0

HB 778 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Fritz.

Total 1

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: None.

Total 0

HB 779 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: None.

Total 0

HB 790 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara,

Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: Fritz.

Total 1

HB 803 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: Sales.

Total 1

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: None.

Total 0

HB 817 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: Hansen, Keyser.

Total 2

HB 837 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 92

Noes: Driscoll, Sales.

Total 2

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: Krueger.

Total 1

SB 122 concurred in as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: Asay, J. Moore.

Total 2

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/23/85

Correctly printed: HB 529, HB 533, HB 794, HB 834, HB 879, HB 911, HB 918, HJR 37, HJR 38.

Considered correctly engrossed: HB 781, HB 786, HB 788, HB 796, HB 806, HB 808, HB 809.

Correctly enrolled: HB 23, HB 140, HB 267, HB 297, HB 459.

Examined by the sponsor (Abrams) and found to be correct: HB 23.

Examined by the sponsor (Asay) and found to be correct: HB 140.

Examined by the sponsor (Harbin) and found to be correct: HB 267.

Examined by the sponsor (Compton) and found to be correct: HB 297.

Examined by the sponsor (Switzer) and found to be correct: HB 459.

Signed by the Speaker at 3:00 p.m., 2/23/85: HB 23, HB 140, HB 154, HB 176, HB 267, HB 297, HB 459, HJR 5.

BUSINESS AND LABOR (Pavlovich, Chairman):

2/23/85

HB 387, do pass. Report adopted.

HB 387, statement of intent, be amended as follows:

1. Statement of intent.

Strike: statement of intent in its entirety

Insert: "This bill requires a statement of intent because it expressly delegates rulemaking authority to the commissioner of labor and industry.

Title 18, chapter 2, part 4, MCA, the "Little Davis-Bacon Act", requires that a standard prevailing wage be paid for labor on all public works contracts and that Montana labor receive a preference for employment on all public contracts. The commissioner is given the duty to determine the prevailing wage by locality and to otherwise administer part 4. In early 1983 Judge Bennett found in *Townsend Electric, Inc. v. Hunter, et al.*, first judicial district of Montana (no. 47160), that the commissioner's determinations as to prevailing wage did not have the force of law because the legislature had never granted the commissioner express rulemaking authority to implement part 4. This bill is introduced to clarify that the legislature intends, and has so intended since the adoption of the Little Davis-Bacon Act in 1931, that the commissioner of labor and industry set and enforce prevailing wage rates under that act.

The rulemaking authority expressly delegated to the department of labor and industry by this bill authorizes the department to promulgate the prevailing wage rates as "rules" under the Montana Administrative Procedure Act.

The department is authorized to adopt rules each year establishing the various prevailing wage rates and to adopt rules spelling out the procedures and methods used to arrive at those rates. It is the intent of the legislature that in adopting the rules, the commissioner shall consider the following:

- (1) collective bargaining agreements;
- (2) federal Davis-Bacon Act rates;
- (3) federal Service Contract Act rates;
- (4) wage information compiled by the department of labor and industry;
- (5) wage surveys, as appropriate and as resources permit; and
- (6) other pertinent information."

Report adopted.

HB 567, introduced bill, be amended as follows:

1. Page 1, line 10 through page 2, line 4.

Strike: sections 1 and 2 in their entirety

2. Page 2, line 5.

Following: line 4

Insert: "Section 1. (1) (a) No insurance company doing business in this state may declare any life insurance policy or any noncancelable or guaranteed renewable disability insurance policy owned by a resident of this state forfeited or lapsed within 6 months after default in payment of any premium, installment, or interest unless, on or before the day the premium was due and payable and prior to the beginning of the grace period, a written notice was mailed to the policyowner at his last-known address (as shown by the records of the insurance company), stating:

(i) the amount of the premium, installment, or interest due on such policy;

(ii) the place where it must be paid; and

(iii) the name and address of the person or company to which the premium is payable.

(b) The notice must also state that unless the premium or other sums are paid to the company or its agent, the policy will lapse or be forfeited, except as to any nonforfeiture options provided for by a life insurance policy.

(2) "Policyowner", as used in this section, means the owner of the policy, or any other person designated as the person to receive premium notices, as shown by the records of the insurance company.

(3) The affidavit of any responsible officer, clerk, or agent of the insurance company authorized to mail the notice that it is the standard practice of the company to mail to policyowners the notice required by this section is prima facie evidence that the notice has been duly given.

(4) No action may be maintained to recover under a lapsed or forfeited policy on the ground that the insurance company failed to comply with this section unless the action is instituted within 2 years from the due date upon which default was made in paying the premium, installment, or interest for which lapse or forfeiture is claimed.

(5) This section does not apply to:

(a) group or group-type policies;

(b) industrial life or industrial disability policies;

(c) policies upon which premiums are payable monthly or at more frequent intervals; or

(d) policies for which the premiums are billed to and payable through an employer."

Renumber: subsequent sections

3. Page 2, line 9.

Strike: "(1)"

4. Page 2, lines 13 through 15.

Strike: subsection (2) in its entirety

And, as amended, do pass. Report adopted.

HB 649, introduced bill, be amended as follows:

1. Title, line 8.

Following: "YEAR"

Insert: "AND ADD A DENTIST TO THE BOARD"

2. Title, line 24.

Following: "DENTURITRY;"

Insert: "PROVIDING FOR SUNSET REVIEW; PROVIDING PROCEDURES FOR MAKING AND FITTING PARTIAL DENTURES AND FOR MAKING X-RAYS;"

3. Title, page 2, line 4.

Following: "22,"

Insert: "26,"

4. Page 2, line 15.

Following: "attorney."

Strike: "Three"

Insert: "Two"

5. Page 2, line 18.

Following: "denturitry"

Insert: "and who are not dentists. One member of the board must be a dentist licensed under 37-4-301"

6. Page 12, line 8.

Following: line 7

Strike: line 8 through "respectively,"

Insert: "staggered terms"

7. Page 15, line 11.

Following: line 10

Strike: lines 11 through 21 in their entirety

Insert: "No person may represent or hold himself out to the public as a dentist or as practicing denturitry"

8. Page 15, line 23.

Following: line 22

Insert: "NEW SECTION. Section 15. Procedure for making and fitting partial denture. (1) Prior to making and fitting a partial denture, a denturist shall:

(a) formulate a study model of the intended denture;

(b) refer the patient to a dentist, together with the model for tooth cleaning, mouth preparation, and x-rays, as needed; and

(c) make the partial denture and fit it to the existing teeth after the dentist has completed the procedures listed in subsection (1)(b) and in accordance with the dentist's recommendations.

(2) A denturist may not cut, surgically remove, or surgically reduce any tissue or teeth in the process of fitting a partial denture.

(3) A denturist who makes or fits a partial denture in a manner not consistent with this section is subject to the sanctions provided in [section 15 of Initiative 97].

NEW SECTION. Section 16. Sunset review by audit committee — provisions for possible merger. (1) The legislative audit committee shall review the operations of the board of denturitry under the criteria of 2-8-112 and 2-8-113 and the additional criterion of whether the board has licensed a sufficient number of denturists to be a viable agency. The legislative audit committee shall, if the board has not licensed 30 denturists who are practicing in Montana by October

1, 1986, or if the board has otherwise failed to demonstrate its fiscal viability, and may in any event, prepare a bill for the 50th legislature to merge the board of denturistry with the board of dentistry.

(2) If the legislative audit committee proposes a merger under subsection (1), it shall provide that the board of dentistry consist of four dentists, one dental hygienist, one denturist, and two lay persons, one of whom must be a senior citizen representative.

Section 17. Section 26 of Montana Initiative No. 97 is amended to read:

“Section 26. Section 37-14-301, MCA, is amended to read:

“37-14-301. Limitation of license authority — exemptions. (1) No person may apply x-ray radiation to a person unless licensed under this chapter, with the following provisos:

(a) Licensure is not required for:

(i) a student enrolled in and attending a school or college of medicine, osteopathy, chiropractic, podiatry, dentistry, dental hygiene, chiropractic, or radiologic technology who applies x-ray radiation to persons under the specific direction of a person licensed to prescribe such examinations or treatment;

(ii) a person administering x-ray examinations related to the practice of dentistry or denturistry, provided such person is certified by the board of dentistry as having passed an examination testing his proficiency to administer x-ray examinations.

(b) Nothing in this chapter shall be construed to limit or affect in any respect the practice of their respective professions by duly licensed practitioners.

(2) A person licensed as a radiologic technologist may apply x-ray radiation to persons for medical, diagnostic, or therapeutic purposes under the specific direction of a person licensed to prescribe such examinations or treatments.

(3) A radiologic technologist licensed under this chapter may inject contrast media and radioactive isotopes (radio-nuclide material) intravenously upon request of a duly licensed practitioner. In the case of contrast media, the licensed practitioner requesting the procedure or the radiologist must be immediately available within the x-ray department. Such injections must be for diagnostic studies only and not for therapeutic purposes. The permitted injections include peripheral intravenous injections but specifically exclude intra-arterial or intracatheter injections. An uncertified radiologic technologist or a permitholder under 37-14-306 may not perform any of the activities listed in this subsection.””

Renumber: subsequent sections

9. Page 16, line 5.

Following: “12,”

Strike: “and”

Following: “14”

Insert: “, and 15”

10. Page 16, line 8.

Following: “12,”

Strike: “and”

Following: “14”

Insert: “, and 15”

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 649

This bill is for a major revision of Initiative 97, the Denturistry Practice Act. The bill delegates new authority to the new board of denturistry and clarifies some delegations of authority contained in the initiative. A statement of intent is therefore required for this bill.

It is the intent of section 1 of the bill that the governor have authority to implement staggered terms of board members during the appointing process.

It is the intent of section 4 of the bill that the board of denturistry have general authority to adopt rules for the implementation and enforcement of the act, including specific authority to adopt rules regarding license applications, license examinations, criteria for grading examinations, disciplinary standards for licensee, inspection of premises and facilities used in the practice of the profession, and investigation of complaints.

It is the intent of section 6 of the bill that the board have authority to modify fees set by the initiative and to set and modify additional fees.

It is the intent of section 7 of the bill that the board have authority to alter license renewal dates by rule.

It is the intent of section 8 of the bill that the board have authority to define “unprofessional conduct” of licensees by rule, for the purpose of establishing license discipline conduct standards.

HB 880, introduced bill, be amended as follows:

1. Page 1, lines 17 through 20.

Strike: section 1 in its entirety

Renumber: subsequent sections

2. Page 1, line 21.

Strike: “Product liability”

Insert: “Liability — suppliers”

3. Page 1, line 24.

Following: line 23

Strike: “product”

Following: “insurance”

Strike: “[with the board and]”

4. Page 1, line 25.

Strike: “product”

Following: “liability”

Insert: “insurance”

5. Page 2, line 1.

Following: “than”

Strike: “those established by the board”

Insert: “\$100,000 combined single limit”

6. Page 2, line 2.

Strike: “Contractor’s liability”

Insert: “Liability — installers”

7. Page 2, line 5.

Following: line 4

Strike: “contractor’s blanket”

Following: "liability"

Strike: "[with the board and]"

Insert: "insurance"

8. Page 2, line 6.

Following: "contractor's"

Strike: "blanket"

9. Page 2, line 7.

Following: "liability"

Insert: "insurance"

Following: "than"

Strike: remainder of line 7 through "board" on line 8

Insert: "\$100,000 combined single limit"

10. Page 2, lines 9 through 14.

Strike: section 4 in its entirety

Renumber: subsequent sections

11. Page 2, line 17.

Following: "authority"

Strike: "(1)"

12. Page 2, line 21 through page 3, line 6.

Strike: subsection (2) and section 7 in their entirety

And, as amended, do pass. Report adopted.

HB 895, introduced bill, be amended as follows:

1. Title, line 8.

Following: "MAINTENANCE"

Strike: "EXAMINERS"

Insert: "PERSONS"

2. Page 2, line 1.

Following: "maintenance"

Strike: "examiners"

Insert: "persons"

3. Page 2, line 9.

Following: "station"

Insert: "but does not include a single-device system as used in a residence"

4. Page 2, line 18.

Strike: "examiners"

Insert: "persons"

5. Page 2, line 20.

Strike: "examiners"

Insert: "persons"

6. Page 5.

Following: line 25

Insert: "(3) An electrician who has received a license from the department pursuant to 37-68-301 may install new fire alarm and security alarm systems under the direction of a journeyman fire alarm and security alarm installer, but such work performed by an electrician is subject to inspection and approval by a licensed fire alarm and security alarm installer."

7. Page 7, line 13.

Following: "committed"

Insert: "wanton"

Following: "exhibited"

Insert: "wanton"

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 895

A statement of intent is required with this bill because it authorizes the board of fire alarm, security alarm, and fire suppression equipment installers and maintenance persons, which is established under this bill, to make rules to implement the bill and to license persons who install or maintain fire alarm, security alarm, and fire suppression equipment.

It is the intent of the legislature that the board, by rule, establish qualifications for eligibility for each class of license, devise and administer examinations for licenses, grant licenses to persons who satisfy the requirements, revoke, suspend, or refuse licenses for cause, and generally supervise the professional conduct of the licensees.

HB 896, introduced bill, be amended as follows:

1. Title, line 8.

Following: "PROVIDING"

Strike: "A DELAYED"

Insert: "AN IMMEDIATE"

2. Page 3, lines 13 and 14.

Following: "department"

Insert: "of commerce"

3. Page 3, line 21.

Following: "department"

Insert: "of commerce"

4. Page 4, line 1.

Following: "rockets,"

Insert: ", excluding sky rockets, roman candles, daygo bombs, fire-crackers, and bottle rockets,"

5. Page 5, line 7.

Following: "effective"

Strike: "January 1, 1986"

Insert: "on passage and approval"

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 896

It is the intent of the legislature that the department of commerce adopt rules that include the setting of a permit fee to cover the costs of administering the fireworks wholesaler permit program and to establish rules that provide a monitoring and information function. The rules should elicit pertinent information from the applicant, such as business name and location, mailing address, suppliers, products to be sold under the permit, etc. The rules should provide for conveying of information to the applicant at the time of application, such as responsibilities under Montana law, federal law, and both state and federal administrative rules.

Adverse Committee Reports

HB 863, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hanson, Harper, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 85

Noes: Connelly, Darko, Fritz, Hansen, Harbin, Kadas, Ream, Waldron.

Total 8

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: Ellerd, Harp.

Total 2

HB 868, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Asay, Bergene, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, O'Connell, O'Hara, Patterson, Pavlovich, Phillips, Pistoria, Quilici, Ramirez, Rehberg, Sales, Sands, Schye, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki.

Total 66

Noes: Addy, Bachini, Bardanouve, Bradley, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hansen, Harbin, Harper, Kadas, Krueger, Menahan, Miles, Nisbet, Peck, Peterson, Raney, Rapp-Svrcek, Ream, Spaeth, Waldron, Mr. Speaker.

Total 27

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: Harp, Poff.

Total 2

HB 874, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rehberg, Sales, Sands, Schye, Simon, Smith,

Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki.
Total 74

Noes: Addy, Cobb, Connelly, Darko, Driscoll, Fritz, Garcia, Hammond, Hansen, Harper, Kadas, Kennerly, Krueger, Menahan, Miles, Nisbet, Rapp-Svrcek, Ream, Waldron, Mr. Speaker.
Total 20

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.
Total 5

Absent or not voting: Harp.
Total 1

HB 898, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Asay, Bergene, Brandewie, D. Brown, J. Brown, Campbell, Cody, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Hart, Hayne, Iverson, Jenkins, Jones, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Ramirez, Rehberg, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki.
Total 67

Noes: Addy, Bachini, Bardanouve, Bradley, Cobb, Cohen, Connelly, Darko, Driscoll, Fritz, Hammond, Hansen, Harbin, Harper, Howe, Kadas, Kennerly, Krueger, Menahan, Miles, Peck, Raney, Rapp-Svrcek, Ream, Waldron, Mr. Speaker.
Total 26

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.
Total 5

Absent or not voting: Harp, Poff.
Total 2

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman):
2/23/85

Adverse Committee Report

HB 902 - Representatives Donaldson, Nathe, Eudaily, Sands, Glaser, Sales, Grady, Harp, Thoft, Peck, Brandewie, Hannah, Wallin, Thomas, Gould, Marks, Iverson, Asay, Keller, and Hayne objected to the adverse committee report on HB 902, and requested that the bill be printed and placed on second reading.
2/23/85

HUMAN SERVICES AND AGING (Keenan, Chairman):
2/20/85

HB 489, introduced bill, be amended as follows:

1. Title, lines 7 through 10.

Following: "FACILITIES;"

Strike: remainder of line 7 through "FACILITIES" on line 10

Insert: "TO REQUIRE PRIOR CONSULTATION WITH THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES FOR PLACEMENT OF YOUTHS IN RESIDENTIAL YOUTH FACILITIES"

2. Title, line 11.

Following: "41-3-1122,"

Strike: "41-5-205,"

3. Page 5, line 7.

Following: "~~and~~"

Strike: "~~or~~"

Insert: "and"

4. Page 5, line 8.

Following: "placed"

Strike: "by the court"

5. Page 5, line 12.

Following: "~~in advance~~"

Strike: "prior to placement"

Insert: "in advance"

6. Page 6, line 11.

Following: "~~state~~"

Insert: "or by an appropriate licensing authority from another state"

7. Page 7, line 19 through page 8, line 7.

Strike: section 6 in its entirety

Renumber: subsequent sections

8. Page 9, line 19.

Following: "state"

Insert: "unless an out-of-state facility can provide appropriate treatment that:

(i) can be obtained at a cost less than that offered by any available facility in this state; or

(ii) is available in closer proximity to the youth's place of residence than any facility located in this state."

9. Page 9, line 20 through line 3, page 10.

Strike: subsection (b) in its entirety

Insert: "(b) If the department of social and rehabilitation services accepts the financial responsibility for the costs of caring for the child in a youth care facility other than a youth foster home or youth group home, the court shall provide the department with at least 5 days' written notice and opportunity to be heard before ordering the placement of the youth."

10. Page 11, line 25.

Following: "Montana"

Strike: "as follows:"

Insert: "."

11. Page 12, lines 1 through 12.

Strike: subsections (a) and (b) in their entirety

Insert: "(4) If the department of social and rehabilitation services accepts the financial responsibility for the costs of caring for the child in a youth care facility other than a youth foster home or youth group home, the court shall provide the department at least 5 days' written notice and opportunity to be heard before ordering the placement of the youth."

Renumber: subsequent subsections

12. Page 12, lines 18 and 19.

Following: "institutions" on line 18

Strike: remainder of line 18 through "services" on line 19

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 489

The department of social and rehabilitation services has adopted rules regarding the licensing of youth care facilities, including youth foster homes, youth group homes, and child care agencies. It is contemplated that the existing licensing standards promulgated in the Administrative Rules of Montana and any future standards which may be promulgated under this act apply to all youth care facilities licensed under section 41-3-1142, MCA, as amended.

HB 571, introduced bill, be amended as follows:

2/22/85

1. Title, line 8.

Following: “; AND”

Strike: “ALLOWING”

Insert: “REQUIRING AN INSURER OR HEALTH SERVICE CORPORATION TO OFFER THE OPTION OF ADDITIONAL”

2. Title, line 10.

Strike: “SECTIONS”

Insert: “SECTION”

Strike: “AND 33-30-101”

Following: “MCA”

Insert: “; AND PROVIDING AN EFFECTIVE DATE”

3. Page 8, lines 17 and 18.

Strike: “equal” on line 17 through “application” on line 18

Insert: “commensurate with costs”

4. Page 8, lines 21 and 22.

Strike: “equal” on line 21 through “examination” on line 22

Insert: “commensurate with costs”

5. Page 8, lines 24 and 25.

Strike: “equal” on line 24 through “license” on line 25

Insert: “commensurate with costs”

6. Page 13, line 18.

Following: “37-8-202,”

Strike: “, or professional counselor”

7. Page 13, line 23.

Following: “pharmacist.”

Insert: “An insurer shall offer, at additional cost to the insured, the option of disability and health insurance coverage for services performed by a licensed professional counselor.”

8. Page 14, line 5 through page 15, line 2.

Strike: section 16 in its entirety

Renumber: subsequent sections

9. Page 15, line 3.

Following: line 2

Insert: “NEW SECTION. Section 17. Optional coverage for services provided by professional counselors. A health service corporation shall provide in its membership contract, at an additional cost to a member, optional coverage for services performed by a licensed professional counselor.”

Renumber: subsequent sections

10. Page 15.

Following: line 19

Insert: "NEW SECTION. Section 21. Effective date. This act is effective July 1, 1985."

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 571

Section 4 requires the board of professional counselors to adopt rules setting professional and ethical standards and continuing education requirements for professional licensed counselors and to adopt such other rules as are necessary for the regulation of this profession. In addition, section 4 permits the board to adopt rules governing the issuance of certificates in particular areas of practice as a licensed professional counselor. The legislature perceives a need to regulate persons holding themselves out as professional counselors. Consumers of professional counseling services are entitled to adequate regulation of those services in the public interest. It is contemplated that the board may promulgate rules that:

- (1) protect the public from abuse of the trust placed in professional counselors;
- (2) regulate the day-to-day practices of licensed professional counselors;
- (3) ensure a professional attitude and professional work in a professional atmosphere;
- (4) regulate fees charged for services;
- (5) regulate testing devices and methods used by licensed professional counselors;
- (6) regulate counseling techniques;
- (7) determine the type, amount, and quality of continuing education of licensed professional counselors;
- (8) determine the areas of specialization in which a professional counselor could be certified and define the requirements that must be met for certification in these areas; and
- (9) are otherwise necessary to the regulation of the profession.

JUDICIARY (Hannah, Chairman):

2/22/85

HB 520, introduced bill, be amended as follows:

1. Page 1, line 13.

Following: "waters"

Insert: "without permission or contractual arrangement with the owner"

2. Page 1, line 15.

Following: "(2)"

Insert: "manmade"

3. Page 1, line 16.

Following: "systems"

Insert: ", excluding the lakes, streams, and reservoirs from which the systems obtain water"

4. Page 1, line 17.

Strike: "supply"

Insert: "inlet"

5. Page 1, line 21.

Following: "3"

Insert: ", except for impoundments or diverted waters to which the owner has provided public access"

And, as amended, do pass. Report adopted.

HB 665, introduced bill, be amended as follows:

2/23/85

1. Page 2, line 16.

Strike: "60"

Insert: "180"

2. Page 2, line 19.

Following: "department"

Insert: "or office of human services"

And, as amended, do pass. Report adopted.

HB 686, introduced bill, be amended as follows:

1. Page 1, line 13.

Following: "department"

Insert: "or office of human services"

2. Page 1, line 15.

Strike: "He"

Insert: "The county attorney or attorney general, or an attorney hired by the county welfare department or office of human services with the written consent of the county attorney or attorney general,"

3. Page 4, line 13.

Following: "department"

Insert: "or office of human services"

4. Page 4, line 22.

Strike: "or"

5. Page 4, line 23.

Following: "attorney"

Insert: ", or office of human services attorney"

And, as amended, do pass. Report adopted.

HB 793, introduced bill, be amended as follows:

1. Page 2.

Following: line 18

Strike: "believes" through "commission" on line 20

Insert: "is called to the scene of a reported incident"

2. Page 2, line 20.

Following: "but"

Insert: "he"

3. Page 2, line 21.

Strike: "do so"

Insert: "make an arrest"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 17, do not pass. Thereupon, the adverse committee report failed to be adopted as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Gould, Hammond, Hand, Hansen, Harbin, Harper, Hart, Kadas, Keenan, Kennerly, Krueger, Menahan, Mercer, Miles, Montayne, J. Moore, Nisbet, O'Hara, Pavlovich, Peck, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Sands, Schye, Spaeth, Waldron, Williams, Zabrocki, Mr. Speaker.
Total 47

Noes: Asay, Bergene, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Grady, Hannah, Hanson, Harp, Hayne, Howe, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Miller, J.K. Moore, Nathe, O'Connell, Patterson, Peterson, Pistoria, Rehberg, Sales, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.
Total 47

Paired: Harper, Aye; Harp, No.

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.
Total 5

Absent or not voting: D. Brown.
Total 1

HB 95, introduced bill, be amended as follows:

2/20/85

1. Title, line 8.

Strike: "ADJUDICATED"

Insert: "SETTLED OR CONCLUDED"

2. Page 1, line 15.

Following: "until"

Strike: ", in an action on"

3. Page 1, line 16.

Following: "claim"

Strike: ", a court of law has established"

Insert: "has been settled or otherwise concluded. The underlying claim is the claim involving"

4. Page 1, line 17.

Following: "insured's"

Insert: "contractual"

Following: "insurer"

Strike: ", in" through "good faith" on line 19

5. Page 1, line 21.

Following: "insured"

Strike: ", in" through "faith" on line 22

6. Page 1.

Following: line 22

Insert: "Section 2. Accrual of claim for bad faith period. For purposes of the statute of limitations, the claim for bad faith does not accrue until the date the underlying claim is settled or otherwise concluded."

Renumber: subsequent sections

And, as amended, do not pass.

HB 400, do not pass.

HB 511, introduced bill, be amended as follows:

1. Page 1, line 17.

Following: "amount"

Strike: "equal to" through "excess of" on line 19

Insert: "not to exceed"

And, as amended, do not pass.

HB 536, do not pass.

HB 797, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Asay, Bachini, Bergene, Bradley, Brandewie, J. Brown, Campbell, Cobb, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hammond, Hand, Hannah, Hansen, Hanson, Harper, Hart, Hayne, Howe, Iverson, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Mercer, Miller, J.K. Moore, Nathe, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Ramirez, Ream, Rehberg, Sales, Sands, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 69

Noes: Addy, Bardanouve, D. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Harbin, Keenan, Krueger, Menahan, Miles, Montayne, J. Moore, Pavlovich, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Schye, Waldron.

Total 23

Excused: Harrington, Holliday, McCormick, Nelson, Schultz.

Total 5

Absent or not voting: Compton, Harp, Jenkins.

Total 3

NATURAL RESOURCES (Iverson, Chairman):

2/22/85

HB 396, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 396

A statement of intent is desirable for this bill because it authorizes the board of natural resources and conservation to make rules on the new material enacted in the bill. The rules would implement section 1 of the bill, which establishes criteria for the department of natural resources and conservation to reject an application for a beneficial water use permit that is not in good faith or does not show a bona fide intent to appropriate water.

The intent is to adopt those rules necessary to implement the criteria listed in section 1. Because the criteria are specific, the rulemaking authority would be limited to adopting rules:

- (1) defining a proposed place of use;
- (2) prescribing the contents of a detailed project plan and of a general project plan;
- (3) defining reasonable time lines, not to exceed 10 years, for completion of projects; and
- (4) prescribing the detailed information to implement criteria relative to applications for water use above that amount of water which will be used solely by the applicant.

HB 750, do pass. Report adopted.

HB 766, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 766

This bill establishes a special fund and authorizes the department of health and environmental sciences to spend money from that fund for the purpose of taking emergency, remedial action in cases of release of hazardous or deleterious substances into the environment. Rulemaking is required for the implementation of these provisions. It is the intent of the legislature that the department be authorized to adopt rules clarifying and setting forth more detailed procedures and criteria in such areas as:

(1) definition of remedial actions to include such things as cleanup and restoration of water resources, provisions of alternate sources of supply, relocation of persons and property in imminent danger of injury or damage, and investigation and monitoring of releases of hazardous and deleterious substances;

(2) procedures for identifying responsible parties and notifying them of the department's intent to take remedial action;

(3) criteria for taking emergency actions in cases where prior notification to the responsible party is not possible;

(4) procedures for retaining consultants to perform remedial actions under the department's direction;

(5) procedures for accounting for funds expended in performing remedial actions; and

(6) procedures for coordination of remedial actions with the activities of other state or local government agencies with relevant expertise or authority.

HB 860, introduced bill, be amended as follows:

1. Page 3, line 1.

Following: "library"

Insert: "and each principal data source agency"

2. Page 3, line 4.

Following: "library"

Insert: "or to the appropriate principal data source agency"

And, as amended, do pass. Report adopted.

HB 912, introduced bill, be amended as follows:

1. Page 12, line 22.

Following: "fund"

Strike: "and"

Insert: ". The developer and the affected governing body"

Following: "shall"

Insert: "each"

2. Page 14, line 9.

Following: "revoked"

Insert: "as provided in the conditional waiver or"

3. Page 16, lines 15 through 18.

Following: "operation."

Strike: remainder of lines 15 through 18 in their entirety

4. Page 18, line 4.

Following: "75"

Strike: "payroll employees"

Insert: "persons"

And, as amended, do pass. Report adopted.

HB 913, introduced bill, be amended as follows:

1. Title, line 18.

Following: "AN"

Insert: "IMMEDIATE"

2. Page 8, line 13.

Following: "\$200,000"

Insert: "annually"

3. Page 8, line 16.

Strike: "37.5%"

Insert: "37%"

4. Page 8, line 18.

Strike: "37.5%"

Insert: "37%"

5. Page 8, line 22.

Strike: "10%"

Insert: "11%"

6. Page 9, line 5.

Strike: "4%"

Insert: "5%"

7. Page 9.

Following: line 8

Insert: "(4) Allocations to the department of health and environmental sciences under subsection (3)(d) must be appropriated in full at the beginning of the biennium as necessary to obtain matching federal funds for the biennium."

8. Page 9, line 9.

Strike: "(4)"

Insert: "(5)"

9. Page 9, line 10.

Following: "unexpended"

Insert: "during the biennium"

10. Page 20, line 16.

Strike: "37.5%"

Insert: "37%"

11. Page 32, line 13.

Strike: "July 1, 1985"

Insert: "on passage and approval"

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 913

It is the intent of the legislature that the department of natural resources and conservation adopt rules necessary for the administration of the Montana mineral legacy program. Rules must specify application contents, evaluation criteria, financial arrangements, and reporting requirements for grants and loans under the water development program, the renewable

resource development program, and the mineral reclamation and research program.

It is the intent of the legislature that the department evaluate applications under only one of the three grant and loan programs and that the department have the authority to determine under which program a specific application must be evaluated. To accomplish this goal, rules must be adopted under this act to define by subject matter which grant or loan applications will be evaluated under each of the three programs: water development, renewable resource development, and mineral reclamation and research.

The legislature recognizes that it is difficult to make a clear distinction as to whether certain water-related projects fall into the category of water development or renewable resource development. The legislature further recognizes that conserving and enhancing water quality and water quantity are crucial aspects of providing a secure renewable resource base for future generations of Montanans. For these reasons, it is the intent of the legislature that qualifying projects in the following categories be eligible for grants from the renewable resource development program if such projects do not qualify under the criteria for the water development program or if sufficient funds are not available within the water development program:

(1) ground and surface water quality monitoring not directly related to a project under the hazardous waste management program or the mineral reclamation and research program;

(2) aquatic ecosystem research and conservation;

(3) development of water reservations by conservation districts; and

(4) water policy planning, administration, and interjurisdictional coordination.

It is the intent of the legislature that any rules adopted prior to the effective date of this act by the department or the board of natural resources and conservation governing the water development program or the renewable resource development program remain in effect until the department adopts rules under the authority of this act to amend or supersede those rules.

HJR 35, do pass. Report adopted.

TAXATION (Devlin, Chairman):

2/23/85

HB 884, introduced bill, be amended as follows:

1. Page 1, line 23.

Following: "(a)"

Strike: "approve"

Insert: "notify the presiding officer that he concurs with"

2. Page 1, line 24.

Following: "time"

Insert: ", not to exceed 24 hours,"

3. Page 2, line 3.

Following: "sponsor"

Strike: "approves"

Insert: "concurs with"

4. Page 2, line 12.

Following: line 11

Strike: "specify a time"

Insert: "notify the sponsor and the budget director of the time, not to extend beyond the time limitation specified in subsection (1)(b),"

5. Page 2, line 15.

Following: "shall"

Strike: "approve"

Insert: "notify the presiding officer that he concurs with"

And, as amended, do pass. Report adopted.

MOTIONS

Representative Marks moved that HB 17 be taken from adverse committee report status and printed and placed on second reading. Motion carried. (49-46)

Representative J. Brown moved that HB 720 be taken from the Committee on Appropriations and placed on third reading. Motion carried.

Representative Bergene moved that HB 834 be taken from printing and referred to the Committee on Judiciary until after transmittal so that it may die quietly. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

The Speaker introduced this week's pages: Amy Lindlief, John Kramer, Todd Hill, Curtis Jorgenson, Shawn Harvey, Ward Parker, Les Larson, and Sabine Zecha, and thanked them for their services.

Representative Harper moved that the House adjourn until 8:00 a.m., February 25, 1985.

Motion carried.

House adjourned at 6:00 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

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